



CITY OF MERCED

Amended 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, July 15, 2019

6:00 PM

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

**Council Member Shelton will be attending via Teleconference from the Murieta Inn,
First Floor Sales Office, 7337 Murieta Drive, Rancho Murieta, CA 95683**

Closed Session at 5:30 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.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.

PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM THE CITY CLERK

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

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

- B.1.** [19-396](#) **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION; California Department of Finance v. City of Merced, et al.; Sacramento County Superior Court Case No.34-2016-80002485; AUTHORITY: Government Code Section 54956.9(d)(1)

C. CALL TO ORDER

C.1. Invocation - Lamar Henderson, All Dads Matter

C.2. Pledge 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 \$20.00 by Charter for sitting as the City Council; and the Mayor receives an additional \$50.00 each month as a part of the adopted budget and Resolution 1975-37. The members of the Parking Authority and the Public Financing and Economic Development Authority receive no compensation.

E. REPORT OUT OF CLOSED SESSION

F. WRITTEN PETITIONS AND COMMUNICATIONS

G. 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.

H. 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.

H.1. [18-641](#) **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.

- H.2. [19-355](#) **SUBJECT:** Information Only - Site Plan Review Committee Minutes of June 13, 2019

RECOMMENDATION

For information only.

- H.3. [19-338](#) **SUBJECT:** Approval of City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of June 17, 2019

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 June 17, 2019.

- H.4. [19-289](#) **SUBJECT:** Approval of Application to the San Joaquin Valley Air Pollution Control District (SJVAPCD) Agricultural Tractor Replacement Incentive Program for the Replacement of One (1) Tractor at the Wastewater Treatment Plant (WWTP) and Accepting and Increasing Revenue in the Amount of \$155,000 for Future Reimbursement from the SJVAPCD Incentive Program, if Approved

REPORT IN BRIEF

Considers approving an application to the San Joaquin Valley Air Pollution Control District (SJVAPCD) Agricultural Tractor Replacement Program for the replacement of one tractor at the Wastewater Treatment Plant (WWTP).

RECOMMENDATION

City Council - Adopt a motion:

A Approving an application to the San Joaquin Valley Air Pollution Control District (SJVAPCD) Agricultural Tractor Replacement Program for the replacement of one tractor at the Wastewater Treatment Plant (WWTP); and,

B. Accepting and increasing revenue in the amount of \$155,000 in Fund 674 - Fleet Replacement for future reimbursement from the SJVAPCD Incentive Program if approved; and,

C. Authorizing the City Manager or the Assistant City Manager to sign the necessary documents and the Finance Officer to make the necessary budget adjustments.

H.5. [19-330](#)

SUBJECT: Award of Bid and Approval of Contract to LSA Associates, Inc. for Environmental Compliance Services for the Proposed Well Site No. 22, Project No. 116020, in the Amount of \$94,422.02

REPORT IN BRIEF

Considers awarding a contract in the amount of \$94,422.02 to LSA Associates, Inc. to prepare an Environmental Impact Report for the proposed municipal Well 22 at 3987 North Hatch Road.

RECOMMENDATION

City Council - Adopt a motion awarding a contract for the proposed Well Site No. 22 environmental impact report to LSA Associates, Inc., in the amount of \$94,422; and, authorizing the City Manager or the Assistant City Manager to execute the necessary documents.

H.6. [19-284](#)

SUBJECT: Approval of Citywide Classification Study and Adoption of Resolution to Amend the Classification and Pay Plans by Establishing New Job Classifications and Salary Ranges, Amending Job Classification Titles and Deleting Job Classifications and Amending the Budget Allocation by Adding a Community Liaison Position to the Police Department Budget and Deleting a Recreation Supervisor Position from the Police Department Budget

REPORT IN BRIEF

Considers approving the Citywide Classification Study and adopting a Resolution updating the City's Classification and Pay Plans and Amending the Budget Allocation by Adding a Community Liaison Position to the Police Department Budget and Deleting a Recreation Supervisor from the Police Department Budget.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2019-41**, a Resolution of the City Council of the City of Merced, California, updating the classification plan by amending current classification titles, establishing new classification titles, and deleting obsolete classification titles; and,

B. Approving the addition of a Community Liaison position in the General Fund 001 Police Administration; and,

C. Approving the deletion of a Recreation Supervisor position in the General Fund 001 Police Administration.

H.7. [19-346](#)

SUBJECT: Approval of City-Owned Real Property Use Request #19-11 by the Mercy Medical Center Merced Foundation to Reserve the Use of Portions of the Merced Municipal Airport from Friday, September 27, 2019, at 8:00 a.m. to Sunday, September 29, 2019, at 2:00 p.m.; to Host Their Biennial Fundraising Gala, to be Scheduled for Saturday, September 28, 2019, from 5:30 p.m. to 12:00 a.m.

REPORT IN BRIEF

Considers approving a request by the Mercy Medical Center Merced Foundation to allow the use of portions of the Merced Municipal Airport from Friday, September 27, 2019, at 8:00 a.m. to Sunday, September 29, 2019, at 2:00 p.m. for the set-up, the event, and the clean-up of the Foundation's biennial fundraising gala, to include the serving of alcohol.

RECOMMENDATION

City Council - Adopt a motion approving the exclusive use of portions of the Merced Municipal Airport from Friday, September 27, 2019, at 8:00 a.m. to Sunday, September 29, 2019, at 2:00 p.m., as requested by the Mercy Medical Center Merced Foundation, for their biennial fundraising gala (includes the serving of alcohol); subject to the conditions outlined in the administrative report.

H.8. [19-363](#)

SUBJECT: Adoption of Resolution Declaring the Intent to Abandon a Storm Drainage Easement and Street Light Easement at 1368 Griffin Street, Generally Located on the East Side of Griffin Street, Approximately 525 Feet North of McSwain Road, and Setting a Public Hearing for August 19, 2019 (Vacation #19-03)

REPORT IN BRIEF

Considers the abandonment of an old storm drainage easement and street light easement at 1368 Griffin Street.

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2019-39**, a Resolution of the City Council of the City of Merced, California, declaring its intention to vacate a Storm Drainage Easement and Street Light Easement at 1368 Griffin Street, generally located on the east side of

Griffin Street, approximately 525 feet north of McSwain Road (Vacation #19-03), and setting the time and place for a public hearing.

H.9. [19-364](#)

SUBJECT: Approval of Second Amendment to the Amended and Restated Contract for Water, Sewer, and Other Services Between the City of Merced and the Regents of the University of California and the First Amendment to the Agreement Affecting Real Property and Covenant to Annex and Authorization to Submit an Application to the Local Agency Formation Commission (LAFCO) to Reflect the Revised Boundary Area

REPORT IN BRIEF

Considers two amendments to contracts with the University of California from 2016 regarding services and annexation to reflect a minor boundary change in the UC Merced Campus site and will also consider authorizing City staff to prepare an application to the Merced County Local Agency Formation Commission (LAFCO) to reflect the revised boundary in the previously-approved Out of Boundary Service Request.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving the Second Amendment to the Amended and Restated Contract for Water, Sewer, and Other Services between the City of Merced and the Regents of the University of California; and,
- B. Approving the First Amendment to the Agreement Affecting Real Property and Covenant to Annex; and,
- C. Authorizing City staff to submit an application to the Merced County Local Agency Formation Commission to amend the previous Out of Boundary Service Request to reflect the revised boundary; and,
- D. Authorizing the Mayor, the City Manager, or the Assistant City Manager to execute the final documents.

H.10. [19-374](#)

SUBJECT: Approval of Lease Agreement Between the City of Merced and Coralisa Gary, d.b.a. Glamazon, for 490 Square-Feet of Tenant Space in the Bell Station (415 W. 18th Street) for a Three (3) Year Term and a One Year Option with Rent Starting at \$612.50 Per Month

REPORT IN BRIEF

Considers a lease agreement (3-year term with a 1-year option) with Coralisa Gary, d.b.a. Glamazon for tenant space in the Bell Station located at 415 W. 18th Street.

RECOMMENDATION

City Council - Adopt a motion approving the lease agreement between Coralisa Gary, a sole proprietor, doing business as Glamazon and the City of Merced and authorizing the City Manager or the Assistant City Manager to execute the necessary documents.

H.11. [19-379](#)

SUBJECT: Approval of Professional Service Agreement Between the City of Merced and Chabin Concepts for On-Call Economic Development Services in the Not to Exceed Amount of \$50,000.00

REPORT IN BRIEF

Considers approving the terms and scope of services for a Professional Services Agreement with Chabin Concepts to provide on-call consulting services to the Office of Economic Development.

RECOMMENDATION

City Council - Adopt a motion approving the professional services agreement between the City of Merced and Chabin Concepts, Inc. for on-call economic development consulting services in the amount not to exceed \$50,000.00 and authorizing the City Manager or the Assistant City Manager to execute all the necessary documents.

H.12. [19-388](#)

SUBJECT: Authorization to Accept and Appropriate a Donation of Two Thousand Five Hundred Dollars (\$2,500.00) from the Merced School Employees Federal Credit Union to be Used to Purchase Supplies and Offer Stipends for the Summer at City Hall Program

REPORT IN BRIEF

Considers accepting and appropriating a donation of two thousand five hundred dollars (\$2,500.00) from the Merced School Employees Federal Credit Union to offset the costs of the Summer at City Hall Program.

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting and increasing revenue to account 024-1218-360.02-00 in the amount of two thousand five hundred dollars (\$2,500.00) for the

donation from the Merced School Employees Federal Credit Union for use in the Summer at City Hall Program; and,

B. Appropriating one thousand eight hundred (\$1,800) to account #024-1218-542.17-00 for students stipends and seven hundred (\$700) to account #024-1218-542.29-00 to purchase supplies for the Summer at City Hall Program.

I. 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.

I.1. [19-300](#)

SUBJECT: Approval of Environmental Review #19-17 - Statutory Exemption for Feasibility and Planning Studies Pursuant to CEQA Guideline Section 15162 and Adoption of Resolution to Approve the City of Merced Active Transportation and Safe-Routes-to-School Plan

REPORT IN BRIEF

Considers approving environmental review #19-17 and adopting a resolution to approve the Active Transportation and Safe-Routes-to-School Plan.

RECOMMENDATION

City Council - Adopt a motion approving Environmental Review #19-17 - Statutory Exemption for Feasibility and Planning Studies Pursuant to CEQA Guideline Section 15162 and adopting **Resolution 2019-40**, a Resolution of the City Council of the City of Merced, California, adopting the City of Merced Active Transportation and Safe-Routes-to-School Plan.

I.2. [19-380](#)

SUBJECT: Public Hearing and Consideration of the Adoption of Resolution to Authorize the Inclusion in the California Municipal Finance Authority Bond Opportunities for Land Development (BOLD) Program; Authorizes the California Municipal Finance Authority to Accept Applications from Property Owners, Conduct Proceedings and Levy Special Taxes Within the City of Merced Pursuant to the Mello-Roos Community Facilities Act of 1982, As Amended; and Other Related Actions

REPORT IN BRIEF

Following a Public Hearing, considers the adoption of a Resolution allowing properties within the territory of the City of Merced to participate in the California Municipal Finance Authority (CMFA) Bond Opportunities for Land Development (BOLD) program which provides long-term financing for certain development-related fees and infrastructure improvements.

RECOMMENDATION:

City Council - Adopt a Motion:

A. Approving **Resolution 2019-41**, a Resolution of the City Council of the City of Merced, authorizing use and inclusion in the California Municipal Financing Authorities Bond Opportunities for Land Development (BOLD) Program; Authorizing the California Municipal Finance Authority to accept applications from property owners, conduct proceedings and levy special taxes within the City of Merced pursuant to the Mello-Roos Community Facilities Act of 1982, as amended; and authorizing related actions; and,

B. Authorizing the City Manager or the Assistant City Manager to execute the necessary documents and take any and all actions necessary to carry out the intent of the resolution.

J. REPORTS

J.1. [19-389](#)

SUBJECT: Adopt a Motion Selecting the North Merced Park Location, Amenities and Layout and Authorizing the Submission of a Proposition 68 Statewide Park Program Grant Round 3 Grant Application for an Amount Not to Exceed \$8.5 Million Dollars (\$8,500,000)

REPORT IN BRIEF

Considers granting authority for submittal of a grant application for funding of a new park in North Merced and adopting a motion selecting the location, amenities, and layout of the park for an amount not to exceed \$8.5 Million (\$8,500,000).

RECOMMENDATION

City Council - Adopt a motion selecting the North Merced park location, amenities and layout and authorizing the Parks and Recreation Department to submit the Proposition 68 Statewide Park Program Round 3 grant application for an amount not to exceed \$8.5 million dollars (\$8,500,000).

J.2. [19-331](#)

SUBJECT: Report - Findings and Discussion on Forming a New Sister

City Relationship

REPORT IN BRIEF

Updates City Council on current Sister City relationships and steps to form a new relationship.

RECOMMENDATION

Provide staff direction on the next steps for the formation of a new Sister City relationship.

K. BUSINESS

K.1. Request to Add Item to Future Agenda

K.2. City Council Comments

L. ADJOURNMENT



CITY OF MERCED

Merced Civic Center
678 W. 18th Street
Merced, CA 95340

ADMINISTRATIVE REPORT

Agenda Item B.1.

Meeting Date: 7/15/2019

SUBJECT: CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION; California Department of Finance v. City of Merced, et al.; Sacramento County Superior Court Case No.34-2016-80002485; AUTHORITY: Government Code Section 54956.9(d)(1)



CITY OF MERCED

Merced Civic Center
678 W. 18th Street
Merced, CA 95340

ADMINISTRATIVE REPORT

Agenda Item H.1.

Meeting Date: 7/15/2019

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.



CITY OF MERCED

Merced Civic Center
678 W. 18th Street
Merced, CA 95340

ADMINISTRATIVE REPORT

Agenda Item H.2.

Meeting Date: 7/15/2019

Report Prepared by: Taylor Hensley, Secretary I, Planning Division

SUBJECT: Information Only - Site Plan Review Committee Minutes of June 13, 2019

RECOMMENDATION

For information only.

ATTACHMENTS

1. Minutes

CITY OF MERCED
Site Plan Review Committee

MINUTES

Planning Conference Room
2nd Floor Civic Center
Thursday, June 13, 2019

Chairperson McBRIDE called the meeting to order at 1:35 p.m.

1. ROLL CALL

Committee Members Present: Chief Building Official Frazier, Acting City Engineer Beltran, and Director of Development Services McBride

Committee Members Absent: None

Staff Present: Associate Planner/Recording Secretary
Mendoza-Gonzalez

2. MINUTES

M/S BELTRAN - FRAZIER, and carried by unanimous voice vote, to approve the Minutes of May 16, 2019, as submitted.

3. COMMUNICATIONS

None.

4. ITEMS

- 4.1 Site Plan Application #438, submitted by Tom E. Lawler, property owner, to construct an 8,400-square foot shell warehouse at 2266 Cessna Way, within a Light Industrial (I-L) Zone.

Planner MENDOZA-GONZALEZ reviewed the application. Refer to Draft Site Plan Resolution #438 for further information.

The applicant's engineer was attendance to answer questions from the Committee.

M/S FRAZIER - BELTRAN, and carried by the following vote to adopt a Categorical Exemption regarding Environmental Review #19-12, and approve Site Plan Application #438, subject to the Findings and thirty-seven (37) conditions set forth in Draft Resolution #438:

AYES: Committee Members Beltran, Frazier, and Chairperson McBride

NOES: None

ABSENT: None

5. **INFORMATION ITEMS**

5.1 **Calendar of Meetings/Events**

There was no discussion regarding the calendar of meetings/events.

6. **ADJOURNMENT**

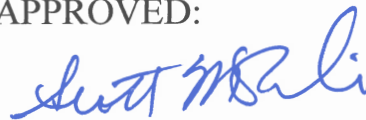
There being no further business, Chairperson McBRIDE adjourned the meeting at 1:45 p.m.

Respectfully submitted,



Francisco Mendoza-Gonzalez, Secretary
Merced City Site Plan Review Committee

APPROVED:



Scott McBride, Chairperson/
Director of Development Services
Merced City Site Plan Review Committee

CITY OF MERCED
 SITE PLAN APPLICATION
 RESOLUTION #438

Lawler Excavation & Pipeline	Construct an 8,400-s.f. shell warehouse on a vacant lot.
APPLICANT	PROJECT
1791 Gibbs Avenue	2266 Cessna Way.
ADDRESS	PROJECT SITE
Atwater, CA 95301	059-640-007
CITY/STATE/ZIP	APN
(209) 384-7174	Light Industrial (I-L)
PHONE	ZONING

In accordance with Chapter 20.68 of the Merced City Zoning Ordinance, the Site Plan Review Committee reviewed and approved Site Plan Application #438 on June 13, 2019, submitted by Tom E. Lawler, property owner, to construct an 8,400-square foot shell warehouse at 2266 Cessna Way, within a Light Industrial (I-L) Zone. Said property being more particularly described as Parcel 5 as shown on that certain map entitled “Parcel Map for Skyview Industrial Park Phase 1” recorded in Volume 94, Page 16 of Merced County Records; also known as Assessor’s Parcel Number (APN) 059-640-007.

WHEREAS, the proposal is exempt from the California Environmental Quality Act (CEQA), and is in accordance with Section 15332 (Exhibit D); and,

WHEREAS, the Merced City Site Plan Review Committee makes the following Findings:

- A) The proposal complies with the General Plan designation of Industrial (IND) and the Zoning classification of Light Industrial (I-L).
- B) Approval of this use shall be subject to approval from the Airport Land Use Commission or its staff designee (see Condition #27). The City Council may override the Commission’s determination.
- C) The subject site is a 0.56-acre vacant lot located within a partially developed industrial park with surrounding industrial uses. This Project includes two driveway approaches from Cessna Way into a parking lot with 9 parking stalls on the eastern portion of the parcel. The shell warehouse would be 8,400-square-foot large, 20-feet-tall, include 2 access doors and 3 roll-up garage doors on the north elevation, and 1 access door on the east elevation. The building

design includes a metal panel exterior with stone veneers, metal canopies, and skylights. The applicant has yet to find a tenant for the warehouse.

- D) The parking requirement for a warehouse is 1 parking space per 2,000 square feet of floor area or 1 space per 2 employees working during the largest shift, whichever is greater. The warehouse tenant has not been identified, so at this moment it is not possible to calculate parking requirements based on the number of employees working during the largest shift. However, the 8,400-square-foot building would require a minimum of 5 parking spaces (see Condition #29) based on the size of the building. This site exceeds parking requirements by having a total of 9 parking stalls.
- E) Parking lot trees are not required, but are encouraged to be installed per the City's Parking Lot Landscape Standards. Trees should be a minimum of 15 gallons and be of a type that provides a 30-foot minimum canopy at maturity (trees should be selected from the City's approved tree list). Trees should be installed at a ratio of at least one tree for every six parking spaces. Street trees shall be planted as required by City Standards. Irrigation for all on-site landscaping shall be provided by a drip system or micro-spray system in accordance with the State's Emergency Regulation for Statewide Urban Water Conservation or any other State or City mandated water regulations.

NOW, THEREFORE, BE IT RESOLVED that the Merced City Site Plan Review Committee does approve Site Plan Application #438, subject to the following conditions:

1. All conditions contained in Site Plan Approval Resolution #79-1 ("Standard Conditions of Site Plan Approval") shall apply.
2. The proposed project shall be constructed as shown on Exhibit B (site plan), and Exhibit C (elevations).
3. Notwithstanding all other conditions, all construction and improvements shall be in strict accordance with Zoning, Building, and all other codes, ordinances, standards, and policies of the City of Merced.
4. All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply, including, but not limited to, the California Building Code and Fire Codes. This may include adding a hydrant, as required by the Fire Department.
5. The developer/applicant shall indemnify, protect, defend (with counsel selected by the City), and hold harmless the City, and any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof, from any and all claims, actions, suits, proceedings, or judgments against the City, or any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof to attack, set aside, void, or annul, an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board, or legislative body, including actions approved by the voters of the City, concerning the project and the approvals granted herein. Furthermore, developer/applicant

shall indemnify, protect, defend, and hold harmless the City, or any agency or instrumentality thereof, against any and all claims, actions, suits, proceedings, or judgments against any governmental entity in which developer/applicant's project is subject to that other governmental entity's approval and a condition of such approval is that the City indemnify and defend (with counsel selected by the City) such governmental entity. City shall promptly notify the developer/applicant of any claim, action, or proceeding. City shall further cooperate fully in the defense of the action. Should the City fail to either promptly notify or cooperate fully, the developer/applicant shall not thereafter be responsible to indemnify, defend, protect, or hold harmless the City, any agency or instrumentality thereof, or any of its officers, officials, employees, or agents.

6. The developer/applicant shall construct and operate the project in strict compliance with the approvals granted herein, City standards, laws, and ordinances, and in compliance with all State and Federal laws, regulations, and standards. In the event of a conflict between City laws and standards and a State or Federal law, regulation, or standard, the stricter or higher standard shall control.
7. All plans and supporting documents submitted for building permits shall meet or exceed the Building Codes in effect at the time of building permit application submittal. Plans shall be drawn by a licensed design professional. The construction work shall be performed by an appropriately licensed Contractor (B-Contractor).
8. Any damaged or missing curb and gutter shall be repaired.
9. An encroachment permit shall be obtained for all work in the public right-of-way and a building permit shall be obtained for all on-site work.
10. All property not occupied by paving or landscaping (i.e., the rear portion of the site) shall be maintained to acceptable standards for health, fire safety, and aesthetic reasons. Grasses and weeds shall be kept to a maximum of six inches in height or as otherwise required by the Fire Department and County Health Department.
11. The employee parking area shall not be used for storage purposes.
12. All signing for the site shall be approved and a building permit issued prior to installation. No free-standing "A-frame" or "sandwich board" signs shall be allowed.
13. The site shall be maintained free of graffiti. Any graffiti shall be removed immediately and painted over with a color that matches the existing surface color.
14. Appropriate turning radii shall be provided within the parking areas to allow for both fire engine and refuse truck access.

15. All required Fire Permits shall be obtained from the City of Merced Fire Department. Some of these permits will depend on the operations or functions conducted inside the warehouse, and may be required after obtaining the certificate of occupancy for this development.
16. If the site is to be gated, there must be a minimum 22-foot-wide clearance for emergency vehicles to pass through when the gate is opened. If the gate requires manual operation, the applicant shall provide a Knox padlock. If the gate requires electronic operation, the applicant shall provide a Knox override switch with "Click-to-Enter."
17. Both short-term and long-term bicycle racks shall be provided at a minimum ratio equal to 8% of the vehicular parking spaces, as required by Merced Municipal Code Table 20.38-4 Required Bicycle Parking Spaces.
18. The developer shall use proper dust control procedures during site development in accordance with San Joaquin Valley Air Pollution Control District rules.
19. As required by Merced Municipal Code Section 17.04.050 and 17.04.060, full public improvements shall be installed/repared if the permit value of the project exceeds \$100,000.00. Public improvements may include, but not be limited to, repairing/replacing the sidewalk, curb, gutter, and street corner ramp(s) so that they comply with ADA standards and other relevant City of Merced/State/Federal standards and regulations.
20. All mechanical equipment shall be screened from public view.
21. The applicant shall contact the City's Water Quality Control Division and comply with all requirements for this type of business and obtain all pertinent permits prior to issuance of certificate of occupancy. Said requirements may include, but may not be limited to, utilizing secondary containers and providing spill kits for leaks or spills.
22. A backflow prevention device shall be provided for all water services (i.e., domestic, irrigation, and fire) per Merced Municipal Code.
23. The developer shall work with the City's Engineering Division to determine the requirements for storm drainage on the site. The developer shall provide all necessary documentation for the City's Engineering Division to evaluate the storm drain system. All storm drain systems shall be installed to meet City Standards and State regulations.
24. All landscaping shall be kept healthy and maintained; any damaged or missing landscaping shall be replaced immediately.
25. The applicant shall submit an Industrial User Survey to the City's Water Quality Control Division during the building permit stage.
26. The business owner and their successors-in-interest shall be fully responsible for any Project-related contamination that may be found on the site or away

from the site and for any necessary clean-up of such contamination. This includes all types of hazardous materials. The site plan permit may be subject to review and revocation by the City of Merced per the procedures in the Merced Municipal Code.

27. Approval of this application is subject to approval and/or recommendation by the Airport Land Use Commission, or its staff designee, to determine that the project is consistent with the Airport Land Use Compatibility Plan.
28. Parking lot and building lighting shall be shielded or oriented in a way that does not allow “spill-over” onto adjacent lots in compliance with the California Energy Code requirements. Any lighting on the building shall be oriented to shine downward and not spill over onto adjacent properties.
29. A change in use or increase in number of employees working during the largest shift may require additional parking in the future.
30. The Project may have a separate Irrigation and Domestic water service line going from the water main to the property line.
31. During the building permit stage, the applicant shall provide a site plan with a note indicating who will be installing landscaping for this site.
32. The refuse enclosure shall be designed to meet the City’s Engineering Standards for refuse enclosures (R-4). The applicant shall not install any posts in front of the refuse enclosure. A side gate shall be provided with pedestrian access, as required by the City’s Engineering Division.
33. The applicant shall work with the City’s Refuse Department to determine the best location for the refuse enclosure and to determine if a recycling container would be required. This may include placing the refuse enclosure further from the street to allow the refuse truck to turn around within the subject site instead of out to the street.
34. The Project shall comply with the City’s Performance Standards for developments within Industrial Zones as outlined under Merced Municipal Code Section 20.12.030 (C) – Development Standards for Industrial Zoning Districts – Performance Standards (e.g. noise, air quality, odor, etc.).
35. The new buildings shall include a fire sprinkler system and fire alarm system.
36. A Fire Department Connection shall be provided to allow fire fighters the ability to connect hose lines to supplement the fire sprinkler’s water supply.
37. Fire apparatus and emergency equipment access shall be provided within 150 feet of all portions of the building.

Site Plan Approval #438

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June 13, 2019

If there are any questions concerning these conditions and recommendations, please contact Francisco Mendoza-Gonzalez at (209) 385-6858.

6-13-2019

DATE



SIGNATURE

Associate Planner

TITLE

Exhibits

- A) Location Map
- B) Site Plan
- C) Elevations
- D) Categorical Exemption





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DEET MAJOR:

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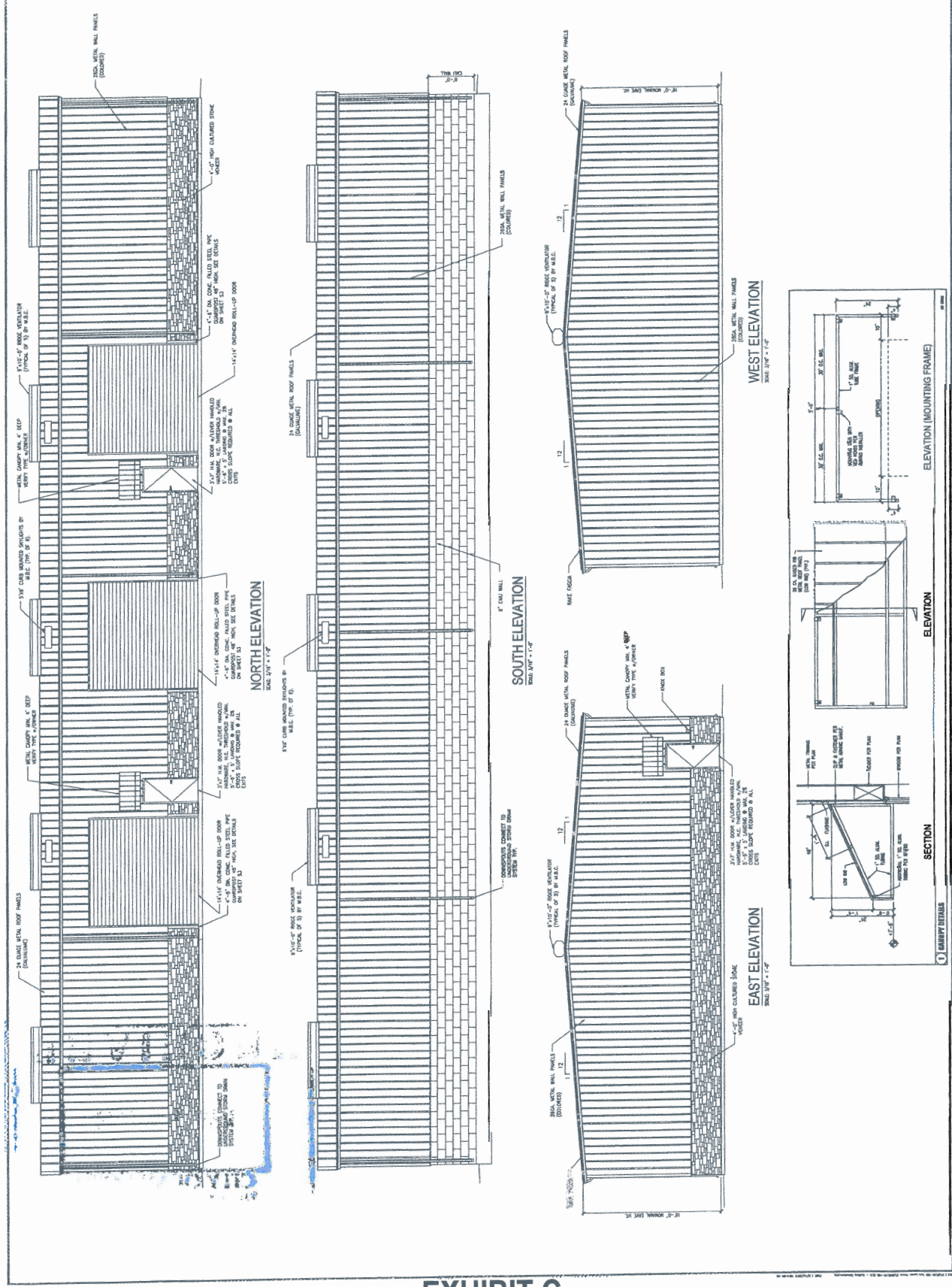
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A2.0



NOTICE OF EXEMPTION

To: _____ Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

From: (Public Agency)
City of Merced
678 West 18th St.
Merced, CA 95340

 X County Clerk
County of Merced
2222 M Street
Merced, CA 95340

Project Title: Site Plan Review #438 (Environmental Review #19-12)

Project Applicant: Lawler Excavation & Pipeline

Project Location (Specific): 2266 Cessna Way. APN: 059-640-007

Project Location - City: Merced **Project Location - County:** Merced

Description of Nature, Purpose, and Beneficiaries of Project: 8,400-s.f. warehouse

Name of Public Agency Approving Project: City of Merced

Name of Person or Agency Carrying Out Project: Lawler Excavation & Pipeline

Exempt Status: (check one)

- Ministerial (Sec. 21080(b)(1); 15268);
 Declared Emergency (Sec. 21080(b)(3); 15269(a));
 Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
 X Categorical Exemption. State Type and Section Number: 15332
 Statutory Exemptions. State Code Number: _____
 General Rule (Sec. 15061 (b)(3))

Reasons why Project is Exempt:

As defined under the above referenced Section, the proposed project is considered an in-fill Project. The project location is within the City limits on an approximately 0.56-acre parcel surrounded by urban uses. The site can be served by all required utilities and public services, and the project site has no value as habitat for endangered, rare or threatened species. No significant effects resulting from traffic, noise, air quality, or water quality will result from the construction of the building. The project is consistent with the City of Merced General Plan and Zoning regulations.

Lead Agency: City of Merced

Contact Person: Francisco Mendoza-Gonzalez

Area Code/Telephone: (209) 385-6858

Signature:  **Date:** 6-3-2019 **Title:** Planner

 X Signed by Lead Agency

Date Received for Filing at OPR: _____
(If applicable)

Authority Cited: Sections 21083 and 21110. Public Resources Code
Reference: Sections 21108, 21152, and 21152.1. Public Resources Code



CITY OF MERCED

Merced Civic Center
678 W. 18th Street
Merced, CA 95340

ADMINISTRATIVE REPORT

Agenda Item H.3.

Meeting Date: 7/15/2019

SUBJECT: Approval of City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of June 17, 2019

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 June 17, 2019.

ALTERNATIVES

1. Approve as recommended; or,
2. Approve, subject to amendments.

ATTACHMENTS

1. Minutes of June 17, 2019



CITY OF MERCED

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

Minutes

City Council/Public Finance and Economic Development Authority/Parking Authority

Monday, June 17, 2019

6:00 PM

A. CLOSED SESSION ROLL CALL

- Present:** 4 - Mayor Pro Tempore Anthony Martinez, Mayor Mike Murphy, Council Member Jill McLeod, and Council Member Matthew Serratto
- Absent:** 3 - Council Member Kevin Blake, Council Member Delray Shelton, and Council Member Fernando Echevarria

B. CLOSED SESSION

Mayor MURPHY called the Closed Session to order at 5:31 PM.

Clerk's Note: Council Member SHELTON and Council Member ECHEVARRIA arrived to Closed Session at 5:33 PM.

B.1.

SUBJECT: CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION; California Department of Finance v. City of Merced, et al.; Sacramento County Superior Court Case No.34-2016-80002485;
AUTHORITY: Government Code Section 54956.9(d)(1)

Clerk's Note: Council adjourned from Closed Session at 5:58 PM.

C. CALL TO ORDER

Mayor MURPHY called the Regular Meeting to order at 6:02 PM.

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

The invocation was delivered by Monika GRASLEY from Lifeline Community Development.

C.2. Pledge of Allegiance to the Flag

Mayor MURPHY led the Pledge of Allegiance to the Flag.

D. ROLL CALL

- Present:** 6 - Mayor Pro Tempore Anthony Martinez, Mayor Mike Murphy, Council Member Jill McLeod, Council Member Matthew Serratto, Council Member Delray Shelton, and Council Member Fernando Echevarria
- Absent:** 1 - Council Member Kevin Blake

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 \$20.00 by Charter for sitting as the City Council; and the Mayor receives an additional \$50.00 each month as a part of the adopted budget and Resolution 1975-37. The members of the Parking Authority and the Public Financing and Economic Development Authority receive no compensation.

E. REPORT OUT OF CLOSED SESSION

There was no report.

F. CEREMONIAL MATTERS

F.1. SUBJECT: Recognition of Outgoing Youth Council Members

REPORT IN BRIEF

Emilie Zuzlewski, Ethan Kolb, and Haleigh Escobedo will be recognized for their time and service on the Merced Youth Council.

Mayor MURPHY, Recreation and Parks Supervisor Jennifer ARELLANO, and Recreation and Parks Coordinator Lam KINDAVONG presented Emilie ZUZLEWSKI, Ethan KOLB, and Haleigh ESCOBEDO recognition awards for their time and service on the Merced Youth Council.

F.2. SUBJECT: Proclamation - Disabilities Awareness Month

REPORT IN BRIEF

Received by Michelle Allen, Executive Director of Society for disABILITIES.

Mayor MURPHY presented the Disabilities Awareness Month Proclamation to Michelle ALLEN, Executive Director of Society of disABILITIES.

G. SPECIAL PRESENTATIONS

G.1. Youth Council - Update from the High School Town Hall Meetings

Members of the Youth Council gave a slide show presentation updating Council on the Merced Youth Council activities.

H. WRITTEN PETITIONS AND COMMUNICATIONS

There were none.

I. ORAL COMMUNICATIONS

Damon Ramirez, Merced - spoke on the proposed funds allocated to the

Youth Voucher Program.

Mark LOPEZ, Merced - spoke on the proposed funds allocated to the Youth Voucher Program.

Jesse ORNELAS, Merced - spoke on youth sports vouchers and youth investment.

Jorge GARIBAY, Merced - spoke on the issues he is having at his neighborhood park.

Dennis EVANS, Merced - spoke on OSHA reporting at his job and requested to speak with members of the Council.

Betty SHEPPARD, Merced - spoke on a drain issue at her house.

Carmen RODRIGUEZ, Merced - spoke on a tree that had fallen on her car and the insurance claim she placed.

J. CONSENT CALENDAR

Items J.8. Adoption of Resolution Approving Contract Number S1980008 with the State of California Department of Fish and Wildlife for the Shared Habitat Alliance for Recreational Enhancement (SHARE) Program in Order to Provide Hunting and Bird Watching Opportunities at the City's Waste Water Treatment Plant and Accept \$7,050 into Account 024-1216-360.01-01 to Administer the Program and J.10. Approval of Agreement with Axon Enterprises Inc. for the Purchase and Installation of Fourteen (14) In-Car Audio/Video Recording Cameras in Seven (7) Police Department Vehicles (Two Cameras Per Vehicle) and a 5 Year Licensing and Data Storage Plan for a Total Amount of \$67,049.85; Approval to Waive the Competitive Bidding Requirement to Allow for the Purchase of Standardized Equipment; were pulled for separate consideration.

Approval of the Consent Agenda

A motion was made by Council Member Serratto, seconded by Council Member McLeod, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 6 - Mayor Pro Tempore Martinez, Mayor Murphy, Council Member McLeod, Council Member Serratto, Council Member Shelton, and Council Member Echevarria

No: 0

Absent: 1 - Council Member Blake

J.1. **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.

This Consent Item was approved.

J.2. **SUBJECT:** Information Only - Site Plan Review Committee Meeting Minutes of April 19, 2019

RECOMMENDATION

For information only.

This Consent Item was approved.

J.3. **SUBJECT:** Information Only - Boards and Commissions Annual Attendance Reports

REPORT IN BRIEF

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

RECOMMENDATION

For information only.

This Consent Item was approved.

J.4. **SUBJECT:** Approval of City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of May 20, 2019

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 May 20, 2019.

This Consent Item was approved.

J.5.

SUBJECT: Approval of 3 Year Agreement With Merced County Times (Mid Valley Publications) to Provide the City of Merced Legal Advertising Services

REPORT IN BRIEF

Awards an agreement for publishing legal notices to the Merced County Times (Mid Valley Publications).

RECOMMENDATION

City Council - Adopt a motion approving an agreement with the Merced County Times (Mid Valley Publications) to provide the City of Merced legal advertising services.

This Consent Item was approved.

J.6.

SUBJECT: Authorization to Waive the Competitive Bidding Requirements to Allow Cooperative Purchasing Through the Competitively Bid State Technology Contract 1-19-70-19B-2 and Authorization to Purchase Technology Hardware, Software, Warranty, and Service Including, but not Limited to, Enterprise Technology Cisco Data Center Equipment in a not to Exceed Amount of \$115,000 Pursuant to the State Contract

REPORT IN BRIEF

Authorization to purchase technology Hardware, software, warranty, and services through the competitively bid State Technology Contract 1-19-70-19B-2 Enterprise Technology Cisco Data Center Equipment in a not to exceed amount of \$115,000.

RECOMMENDATION

City Council - Adopt a motion waiving the City's competitive bidding requirement and authorizing the purchase of Technology Hardware, Software, Warranty, and Services through the State of California contract 1-19-70-19B-2 Enterprise Technology Cisco Data Center Equipment in a not to exceed amount of \$115,000; and, authorizing the City Manager or the Assistant City Manager to execute any necessary documents for the purchases specified above.

This Consent Item was approved.

J.7.

SUBJECT: Approval of Annual Agreement with Merced Zoological Society to Contribute a Minimum of \$75,000 from its Total Operating Budget for the Operation of Applegate Park Zoo and Contribute \$5,000 In-Kind Services for Fiscal Year 2018/2019 to Supplement the Zoo Operating Budget

REPORT IN BRIEF

Considers approval of annual agreement with Merced Zoological Society to supplement Zoo annual operating by at least \$75,000 through collecting gate fees, operating gift shop, and holding other fundraisers.

RECOMMENDATION

City Council - Adopt a motion approving the agreement with the Merced Zoological Society for payment of at least \$75,000 (approximately 27%) of the total operating budget at the Zoo and authorizing the City Manager or the Assistant City Manager to execute the necessary documents.

This Consent Item was approved.

J.9.

SUBJECT: Adoption of Resolution Establishing and Approving the Terms and Conditions of the 2019-2020 Master Tow Service Agreement

REPORT IN BRIEF

Considers the adoption of the 2019-2020 Merced Police Department Tow Service Agreement that will go into effect July 1, 2019 and expire June 30, 2020.

RECOMMENDATION

City Council - Adopt a motion approving **Resolution 2019-33**, a Resolution of the City Council of the City of Merced, California, establishing and approving the 2019-2020 Master Tow Service Agreement and authorizing the City Manager or the Assistant City Manager to execute the necessary documents.

This Consent Item was approved.

J.11.

SUBJECT: Approval of Agreement for Landscape Maintenance Services with Green Horizon, Inc., for Turf Maintenance of all City-Owned Parks and Full Maintenance of Ray Flanagan Park, in an Annual Amount of \$271,536 for a Two (2) Year Term Beginning

July 1, 2019 Through June 30, 2021, with an Option to Extend the Agreement for Three (3) Additional One (1) Year Term(s)

REPORT IN BRIEF

Considers approving a professional services agreement with Green Horizon, Inc., for turf maintenance services at all City-owned parks and full service of Ray Flanagan Park.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving a Professional Services Agreement with Green Horizon, Inc., in the annual amount of \$271,536, to provide landscape turf mowing and edging maintenance services at City-owned parks for two years, with an option to renew for a maximum of (3) three additional one-year periods, effective July 1, 2019 (subject to Council's approval of the Fiscal Year 2019/2020 budget); and,

B. Authorizing the City Manager or the Assistant City Manager to sign the necessary documents and execute future contract amendments.

This Consent Item was approved.

J.12.

SUBJECT: Approval of Three Separate Landscape Maintenance Services Agreements with AJG Garden Service for Maintenance of Various Maintenance Districts in the Annual Amount of \$280,800; Odyssey Landscaping Company, Inc., for Maintenance of Various Community Facility Districts in the Annual Amount of \$172,368; and Lincoln Training Center and Rehabilitation Workshop for Maintenance of Center Medians and Other City of Merced Facilities in the Annual Amount of \$143,800.20, Each Agreement for a Two (2) Year Term Beginning July 1, 2019 Through June 30, 2021, with an Option to Extend the Agreements for Three (3) Additional One (1) Year Term(s)

REPORT IN BRIEF

Considers approving three separate professional services agreements with AJG Garden Service for Maintenance Districts, Odyssey Landscaping Company, Inc., for Community Facility Districts, and Lincoln Training Center and Rehabilitation Workshop for all Street Center Medians and other City of Merced Facilities.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving an Agreement for Landscape Maintenance Services, with AJG Garden Service, in the amount of \$280,800 annually, to provide landscape maintenance services for various Maintenance Districts for a period of two-years, with an option to renew for a maximum of (3) three additional one-year periods, effective July 1, 2021; and,

B. Approving an Agreement for Landscape Maintenance Services, with Odyssey Landscaping Company, Inc., in the amount of \$172,368 annually, to provide landscape maintenance services for various Community Facility Districts for a period of two-years, with an option to renew for a maximum of (3) three additional one-year periods, effective July 1, 2021; and,

C. Approving an Agreement for Landscape Maintenance Services, with Lincoln Training Center and Rehabilitation Workshop, in the amount of \$143,800.20 annually, to provide landscape maintenance services for center medians and other City-owned facilities for a period of two-years, with an option to renew for a maximum of (3) three additional one-year periods, effective July 1, 2021; and,

D. Authorize the City Manager or the Assistance City Manager to sign the necessary documents and execute future contract amendments.

This Consent Item was approved.

J.13.

SUBJECT: Approval of Professional Services Agreement with McCampbell Analytical, Inc. to Conduct Bioassay Laboratory Services for a Two (2) Year Term in an Annual Amount of \$23,964

REPORT IN BRIEF

Consider approving a two (2) year agreement with McCampbell Analytical, Inc., for bioassay laboratory testing services.

RECOMMENDATION

City Council - Adopt a motion approving an agreement for professional services with McCampbell Analytical, Inc., in the amount of \$23,964 annually, for bioassay laboratory testing services for the period ending June 30, 2021; and, authorizing the City Manager or the Assistant City Manager to execute all the necessary documents.

This Consent Item was approved.

J.14.

SUBJECT: Second Reading - Adoption of Ordinance 2501 Amending Section 15.32.080, "State Connection Regulations - Backflow Control Devices" of the Merced Municipal Code to Mandate that the Only Approved Residential Fire Sprinkler Systems Allowed to Be Installed Within the City be a Multipurpose Design and a "Passive Purge" System Pursuant to NFPA 13D and the California Building Code

REPORT IN BRIEF

Second reading of Ordinance introduced on June 3, 2019 to Amend Section 15.32.080, "State Connection Regulations - Backflow Control Devices," mandating that the only approved Residential Fire Sprinkler Systems allowed to be installed within the City be a Multipurpose Design and a "Passive Purge" System Pursuant to NFPA 13D and the California Building Code.

RECOMMENDATION

City Council - Adopt a motion adopting **Ordinance 2501**, an Ordinance of the City Council of the City of Merced, California, amending Section 15.32.080, "State Connection Regulations - Backflow Control Devices" of the Merced Municipal Code.

This Consent Item was approved.

J.8.

SUBJECT: Adoption of Resolution Approving Contract Number S1980008 with the State of California Department of Fish and Wildlife for the Shared Habitat Alliance for Recreational Enhancement (SHARE) Program in Order to Provide Hunting and Bird Watching Opportunities at the City's Waste Water Treatment Plant and Accept \$7,050 into Account 024-1216-360.01-01 to Administer the Program

REPORT IN BRIEF

Considers adopting a Resolution and agreement with the Department of Fish and Wildlife to provide hunting and bird watching opportunities at the City's Waste Water Treatment Plant property through the SHARE program.

RECOMMENDATION

City Council- Adopt a motion adopting **Resolution 2019-28**, a

Resolution of the City of Merced, California, approving contract number S1980008 with the State of California Department of Fish and Wildlife for the Shared Habitat Alliance for Recreational Enhancement (SHARE) Program and authorizing the City Manager or the Assistant City Manager to execute the necessary documents.

Council Member ECHEVARRIA pulled this item to ask about increasing the number of permits allotted.

Director of Recreation and Parks Joey CHAVEZ stated that they will contact the State of California Department of Fish and Wildlife about increasing the number permits issued.

Council Member ECHEVARRIA and Mr. CHAVEZ discussed increasing hunting permits, bird watching applications, allowing quail hunting, and skeet shooting.

A motion was made by Council Member Echevarria, seconded by Council Member McLeod, that this agenda item be approved. The motion carried by the following vote:

Aye: 6 - Mayor Pro Tempore Martinez, Mayor Murphy, Council Member McLeod, Council Member Serratto, Council Member Shelton, and Council Member Echevarria

No: 0

Absent: 1 - Council Member Blake

J.10.

SUBJECT: Approval of Agreement with Axon Enterprises Inc. for the Purchase and Installation of Fourteen (14) In-Car Audio/Video Recording Cameras in Seven (7) Police Department Vehicles (Two Cameras Per Vehicle) and a 5 Year Licensing and Data Storage Plan for a Total Amount of \$67,049.85; Approval to Waive the Competitive Bidding Requirement to Allow for the Purchase of Standardized Equipment

REPORT IN BRIEF

Considers the approval of an agreement with Axon Enterprises Inc. for the purchase of fourteen (14) in-car audio/video recording cameras with installation of the cameras (two cameras per vehicle) for the Police Department for a total amount of \$67,049.85 to be funded out of the 2018-2019 budget in full. Also considers waiving the competitive bidding requirement pursuant to Merced Municipal Code section 3.04.210 for purchases necessary for standardization of particular types of equipment.

RECOMMENDATION

City Council - Adopt a motion waving the competitive bidding requirements as stated in Section 3.04.210 of the Merced Municipal Code and approving a 5-year agreement with Axon Enterprises Inc. for the purchase of fourteen (14) in-car audio/video recording cameras with installation and a 5-year licensing and data storage plan in the amount of \$67,049.85.

Mayor Pro Tempore MARTINEZ pulled this item to ask about the data that is collected.

Police Lieutenant Jay STRUBLE explained that all the data captured is from in-car cameras that are mounted in the vehicles.

Mayor Pro Tempore MARTINEZ and Lieutenant STRUBLE discussed the storage of the data and the contract language regarding how the data is used.

Dennis EVANS asked how the cameras will protect the officers and citizens.

Lieutenant STRUBLE explained that the cameras allow for transparency.

Steven GRAHAM, Merced - stated that the contract language should be reviewed by the City Attorney.

A motion was made by Council Member Echevarria, seconded by Mayor Pro Tempore Martinez, that this agenda item be approved. The motion carried by the following vote:

Aye: 6 - Mayor Pro Tempore Martinez, Mayor Murphy, Council Member McLeod, Council Member Serratto, Council Member Shelton, and Council Member Echevarria

No: 0

Absent: 1 - Council Member Blake

K. PUBLIC HEARINGS

K.1.

SUBJECT: Public Hearing on the Various Maintenance Districts' Engineer's Reports and Budgets for Fiscal Year 2019/2020 with Adoption of Resolutions for Approval, Confirmation, and Adoption of the Engineer's Reports for the Various Maintenance Districts as Originally Submitted or as Modified; and Approval of Abeyances for Maintenance Districts with Operating Reserve Balances Above the Amount Required by the Fund Balance Policy

REPORT IN BRIEF

Consider adopting a Resolution approving, confirming, and adopting Engineer's Reports and Budgets; and a Resolution approving abeyances for Districts with operating reserve balances above the amount required by the Fund Balance policy for the various Maintenance Districts after the close of the Public Hearing.

RECOMMENDATION

City Council - Adopt a Motion:

A. Adopting **Resolution 2019-31**, a Resolution of the City Council of the City of Merced, California, approving, confirming, and adopting Engineer's Reports on Maintenance Districts; and,

B. Adopting **Resolution 2019-32**, a Resolution of the City Council of the City of Merced, California, approving, confirming, and adopting Engineer's Reports on Glenhaven Park, Quail Run, Sequoia Hill, and Sky Moss Maintenance Districts, including the adoption of temporary partial abeyance of assessments for each District.

Director of Public Works Ken ELWIN gave a slide show presentation on the Maintenance Districts' Engineer's Reports and Budgets.

Mayor MURPHY opened and subsequently closed the Public Hearing at 7:17 PM due to a lack of public comment.

A motion was made by Council Member Serratto, seconded by Council Member McLeod, that this agenda item be approved. The motion carried by the following vote:

Aye: 6 - Mayor Pro Tempore Martinez, Mayor Murphy, Council Member McLeod, Council Member Serratto, Council Member Shelton, and Council Member Echevarria

No: 0

Absent: 1 - Council Member Blake

K.2.

SUBJECT: Public Hearing to Consider Adoption of Resolution Approving the Department of Housing and Urban Development (HUD) 2019 Annual Action Plan, Allocating Funding for Various Administrative, Development, and Public Service Activities Including the Appropriation of Program Income Received for the CalHome and State Home Programs

REPORT IN BRIEF

Public Hearing for Adoption of the Federal Department of Housing and Urban Development (HUD) 2019 Annual Action Plan, allocation of funding for related activities, and Approval of a Resolution authorizing the submission of the 2019 HUD Annual Action Plan to HUD prior to the July 1, 2019, deadline.

RECOMMENDATION

City Council - Adopt a Motion:

A. Approving **Resolution 2019-30**, a Resolution of the City Council of the City of Merced, California, approving the 2019-2020 HUD Annual Action Plan, certifying compliance with the requirements of the Community Development Block Grant (CDBG) Program and Home Investment Partnership (HOME) Program, and authorizing staff to submit all approved documents to the U.S. Department of Housing and Urban Development; and,

B. Authorizing the City Manager or the Assistant City Manager to execute the necessary documents to accept the Community Development Block Grant program and HOME Investment Partnership Program appropriation of funds awarded to the City of Merced as an Entitlement Community from the U. S. Department of Housing and Urban Development (HUD); and,

C. Authorizing the City Manager or the Assistant City Manager to sign the SF 424, SF 424D, and HUD Certificates documents required to be submitted with the 2019 HUD Annual Action Plan; and,

D. Requesting Council to recommend funding one eligible administrative activity as submitted. The amount awarded to applicants may not exceed \$38,000 for this activity in the 2019 HUD Annual Action Plan; and,

E. Requesting Council to recommend funding the six (6) eligible development projects and activities as submitted. The amount awarded to applicants may not exceed \$1,941,700 for these activities in the 2019 HUD Annual Action Plan; and,

F. Requesting Council to recommend funding eight (8) eligible public service applications. The amount awarded to applicants may not exceed \$164,920 for public service activities in the 2019 HUD Annual Action Plan; and,

Housing Supervisor Mark HAMILTON gave a slide show presentation on the 2019 HUD Annual Action Plan.

Council, Mr. HAMILTON, and Assistant City Manager Stephanie DIETZ discussed the Rescue Mission's funding, if the City has site location input, evaluating service selectors, and the Continuum of Care administrative costs.

Mayor MURPHY opened the Public Hearing at 7:37 PM.

Monika GRASLEY, Merced - spoke on Lifeline Community Development Organization and the services they provide.

Anita HELLAM, Stanislaus County - spoke on the Habitat for Humanity of Stanislaus County and the services they provide.

Mayor MURPHY closed the Public Hearing at 7:43 PM.

Council and Mr. HAMILTON discussed the CDBG funding, funding allocation determination, and the warming center.

Council discussed the allocation of funds to the various service providers.

A motion was made by Mayor Murphy, seconded by Mayor Pro Tempore Martinez, to move five thousand dollars from the Merced rescue Mission - Warming Center to Restore Merced. The motion failed by the following vote:

Aye: 3 - Mayor Pro Tempore Martinez, Mayor Murphy, and Council Member McLeod

No: 3 - Council Member Serratto, Council Member Shelton, and Council Member Echevarria

Absent: 1 - Council Member Blake

Clerk's Note: Council approved the Department of Housing and Urban Development (HUD) 2019 Annual Action Plan in conjunction with the Fiscal Year 2019-2020 Budget.

A motion was made by Mayor Murphy, seconded by Council Member McLeod, to continue the Housing and Urban Development (HUD) 2019 Annual Action Plan Public Hearing after the Fiscal Year 2019-2020 Budget Public hearing. The motion carried by the following vote:

Aye: 6 - Mayor Pro Tempore Martinez, Mayor Murphy, Council Member McLeod, Council Member Serratto, Council Member Shelton, and Council Member Echevarria

No: 0

Absent: 1 - Council Member Blake

K.3.

SUBJECT: Continued Public Hearing to Allow Interested Persons to be Heard Prior to Adoption of Resolutions Adopting of the City Council,

Public Financing and Economic Development Authority and Parking
Authority Fiscal Year 2019-20 Budget with Revision(s), if any, and
Appropriation of the Revenue and Approval of the Capital Projects for
Each Respective Budget

REPORT IN BRIEF

Continued Public Hearing and adoption of the Fiscal Year 2019-20 City Council, Public Financing and Economic Development Authority, and Parking Authority Budget.

RECOMMENDATION

City Council - Adopt a motion:

- A. Adopting **Resolution 2019-35**, Resolution of the City Council of the City of Merced, California, Adopting the Budget and Appropriating Revenue for Fiscal Year 2019-2020; and,
- B. Approving capital projects based upon the Planning Commission's June 5, 2019 finding of consistency of Capital Improvement Program with the General Plan and as modified by recalculation of carryover projects to reflect actual balances as of June 30, 2019.

Public Financing and Economic Development Authority - Adopt a motion:

- A. Adopting **Resolution PFA 2019-01**, Resolution of the City of Merced Public Financing and Economic Development Authority, Adopting the Budget and Appropriating Revenue for Fiscal Year 2019-2020; and,
- B. Approving capital projects based upon the Planning Commission's June 5, 2019 finding of consistency of Capital Improvement Program with the General Plan and as modified by recalculation of carryover projects to reflect actual balances as of June 30, 2019.

Parking Authority - Adopt a motion:

- A. Adopting **Resolution PA 2019-01**, Resolution of the City of Merced Parking Authority, Adopting the Budget and Appropriating Revenue for Fiscal Year 2019-2020; and,
- B. Approving capital projects based upon the Planning Commission's June 5, 2019 finding of consistency of Capital Improvement Program with

the General Plan and as modified by recalculation of carryover projects to reflect actual balances as of June 30, 2019.

City Manager Steve CARRIGAN and Finance Officer Venus RODRIGUEZ gave a slide show presentation on the Fiscal Year 2019-2020 Budget.

Mayor MURPHY opened and subsequently closed the Public Hearing at 8:21 PM due to a lack of public comment.

Clerk's Note: Council recessed at 8:22 PM and returned at 8:32 PM.

Council reallocated funds to various service providers in the 2019 HUD Annual Action Plan.

A motion was made by Council Member Echevarria, seconded by Council Member McLeod, to adopt the Fiscal Year 2019-2020 Budget and the Department of Housing and Urban Development (HUD) 2019 Annual Action Plan with the reallocation of funds to Restore Merced and Lifeline Community Development Program. The motion carried by the following vote:

Aye: 6 - Mayor Pro Tempore Martinez, Mayor Murphy, Council Member McLeod, Council Member Serratto, Council Member Shelton, and Council Member Echevarria

No: 0

Absent: 1 - Council Member Blake

K.4.

SUBJECT: Public Hearing to Consider the Proposed Vacation of a Portion of Mission Avenue, Between S. Coffee Street and State Highway 99 (Vacation #18-01) and Adoption of Resolution Approving the Vacation and Authorization to Execute and Record a Quitclaim or Grant Deed to Transfer any and all of the City's Interest in the Property to the Developer

REPORT IN BRIEF

Conduct the public hearing of the proposed vacation of a portion of Mission Avenue, Between S. Coffee Street and State Highway 99 (Vacation #18-01) and consider the adoption of a Resolution approving the vacation. Authorizes the City Manager or Assistant City Manager to execute and have recorded a quitclaim or grant deed to transfer any and all of the City's interest in the property to the Developer, Shemoil Moradzadeh.

RECOMMENDATION

City Council - Adopt two (2) separate motions:

A. Adopting **Resolution 2019-34**, a Resolution of the City Council of the City of Merced, California, ordering the vacation of a portion of Mission

Avenue, between Coffee Street and State Highway 99 [approximately 400 feet long] (Vacation #18-01); and,

B. Authorizing the City Manager or the Assistant City Manager to execute and have recorded a quitclaim or grant deed to transfer any and all of the City's interest in the property to Shemoil Moradzadeh.

Planner Francisco MENDOZA gave a slide show presentation on the Proposed Vacation of a Portion of Mission Avenue, between S. Coffee Street and State Highway 99 (Vacation #18-01).

Mayor Pro Tempore MARTINEZ and Mr. MENDOZA discussed the on-ramp to Highway 99 on the westside and the access to the developed area.

Mayor MURPHY opened the Public Hearing at 8:44 PM.

Alfred ALVAREZ, Merced - thanked City staff for working on this project and spoke about the developer.

Mayor MURPHY closed the Public Hearing at 8:47 PM.

A motion was made by Mayor Pro Tempore Martinez, seconded by Mayor Murphy, that this agenda item be approved. The motion carried by the following vote:

Aye: 6 - Mayor Pro Tempore Martinez, Mayor Murphy, Council Member McLeod, Council Member Serratto, Council Member Shelton, and Council Member Echevarria

No: 0

Absent: 1 - Council Member Blake

L. REPORTS

L.1.

SUBJECT: Report to the City Council on the Proposed Regional Homeless Plan for Merced County to Solicit Input and Direction on Next Steps to Finalize and Adoption at a Future Date

REPORT IN BRIEF

Staff to present a report to the City Council on the Merced County Proposed Regional Homeless Plan and seek input and direction on next steps to finalize the plan for adoption at a future date.

RECOMMENDATION

Adopt a motion providing staff direction on next steps to finalize the Merced County Proposed Regional Homeless Plan and return to the City

Council with a final plan for adoption at a future date.

Assistant City Manager Stephanie DIETZ gave a slide show presentation on the Proposed Regional Homeless Plan for Merced County.

Council and Ms. DIETZ discussed the layout of the proposed Navigation Center and operational aspects of the Navigation Center.

John CECCOLI, Merced County - spoke on the County-wide homeless impact.

Lee PEVSNER, Merced - stated his support for the proposed Regional Homeless Plan.

Sair LARA, Merced - stated his support for the proposed Regional Homeless Plan.

Mr. LARA and Ms. DIETZ discussed operational funding and other operational plans.

A motion was made by Council Member Echevarria, seconded by Council Member McLeod, to direct staff to continue with the plan as drafted with further check-ins when progress has been made. The motion carried by the following vote:

Aye: 6 - Mayor Pro Tempore Martinez, Mayor Murphy, Council Member McLeod, Council Member Serratto, Council Member Shelton, and Council Member Echevarria

No: 0

Absent: 1 - Council Member Blake

M. BUSINESS

M.1. Request to Add Item to Future Agenda

There were no items added.

M.2. City Council Comments

Council Member MCLEOD reported on attending the City County Dinner.

Mayor Pro Tempore MARTINEZ reported on attending the City County Dinner, the re-opening of the Applegate Park playground, the Courthouse Yosemite Exhibit, judging the Queen barn Exhibit at the Fair, the Golden Valley Neighborhood Association meeting, and the Juneteenth event.

Council Member SHELTON reported on attending the re-opening of the Applegate Park playground, judging the Queen barn Exhibit at the Fair, the

Juneteenth event, and the grand opening of a new Fitness Gym.

Council Member ECHEVARRIA reported on attending the Merced County Fair and visiting Stephen Leonard Park.

Mayor MURPHY reported on attending the Small Business Workshop, the City County Dinner, swearing-in the new directors to the Greater Merced Chamber of Commerce, and the Juneteenth event.

N. ADJOURNMENT

Clerk's Note: The Regular Meeting was adjourned at 9:44 PM.

A motion was made by Council Member Echevarria, seconded by Council Member McLeod, to adjourn the Regular Meeting in memory of Kathleen Derby. The motion carried by the following vote:

Aye: 6 - Mayor Pro Tempore Martinez, Mayor Murphy, Council Member McLeod, Council Member Serratto, Council Member Shelton, and Council Member Echevarria

No: 0

Absent: 1 - Council Member Blake



ADMINISTRATIVE REPORT

Agenda Item H.4.

Meeting Date: 7/15/2019

Report Prepared by: Bill Osmer, Public Works Manager - WWTP

SUBJECT: Approval of Application to the San Joaquin Valley Air Pollution Control District (SJVAPCD) Agricultural Tractor Replacement Incentive Program for the Replacement of One (1) Tractor at the Wastewater Treatment Plant (WWTP) and Accepting and Increasing Revenue in the Amount of \$155,000 for Future Reimbursement from the SJVAPCD Incentive Program, if Approved

REPORT IN BRIEF

Considers approving an application to the San Joaquin Valley Air Pollution Control District (SJVAPCD) Agricultural Tractor Replacement Program for the replacement of one tractor at the Wastewater Treatment Plant (WWTP).

RECOMMENDATION

City Council - Adopt a motion:

A Approving an application to the San Joaquin Valley Air Pollution Control District (SJVAPCD) Agricultural Tractor Replacement Program for the replacement of one tractor at the Wastewater Treatment Plant (WWTP); and,

B. Accepting and increasing revenue in the amount of \$155,000 in Fund 674 - Fleet Replacement for future reimbursement from the SJVAPCD Incentive Program if approved; and,

C. Authorizing the City Manager or the Assistant City Manager to sign the necessary documents and the Finance Officer to make the necessary budget adjustments.

ALTERNATIVES

1. Approve, as recommended by staff;
2. Approve, subject to conditions outlined by Council;
3. Continue to a future meeting;
4. Deny.

AUTHORITY

Charter of the City of Merced, Section 200.

CITY COUNCIL PRIORITIES

As provided for in the adopted budget.

DISCUSSION

The San Joaquin Valley Air Pollution Control District (SJVAPCD) Agricultural Tractor Replacement Program (“incentive program”) provides funds for the replacement of in-use, off-road mobile equipment that are engaged in agricultural operations. The replacement of two (2) or more old, like equipment with one (1) new replacement equipment is eligible for funding. Funds are provided on a first come, first serve basis with no matching funds needed. An executed agreement with the SJVAPCD is required prior to purchase of any replacement equipment. Old equipment submitted as part of the program must be destroyed and rendered permanently in-operable after the new replacement equipment is placed into operation.

The City of Merced has several tractors at the Wastewater Treatment Plant (WWTP) used for agricultural purposes in the adjoining Land Application area. Two of these tractors are now up for replacement based on the City’s Fleet replacement schedule and operational life, equipment numbers L-845 and L-1036.

The cost of purchasing a new replacement tractor is approximately \$316,000. Tractor L-1036 has a budgeted allocation of \$175,000 in replacement funds. Staff anticipates receiving reimbursement from the incentive program in the amount of \$155,000, which will cover the deficit in the replacement funds for L-1036. Tractor number L-845 has sufficient allocated replacement funds and will be replaced according to standard operating procedure through the procurement process. Upon replacement, L-845 will be temporarily kept in service and submitted, in addition to L-1036, to the SJVAPCD tractor buy back program for the replacement of a new tractor.

Staff is seeking Council approval for the future acceptance of the incentive funding, and authorize the City Manager to sign the Ag Tractor Replacement Program application form.

IMPACT ON CITY RESOURCES

No appropriation of funds is needed. Funding from the incentive program will be credited back to Fund 674 -Fleet Replacement for the Wastewater Treatment Plant. The appropriation and purchase will come to the City Council for approval at a later date.

ATTACHMENTS

1. Incentive Program Application (L-845)
2. Incentive Program Application (L-1036)

SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT

Off-Road Vehicle Component

AG TRACTOR REPLACEMENT PROGRAM

APPLICATION

AGRICULTURAL TRACTOR / MOBILE EQUIPMENT REPLACEMENT OPTION

SECTION 1 - APPLICANT INFORMATION (PLEASE PRINT OR TYPE)

ORGANIZATION INFORMATION		
1. Organization, Company, or Proprietor's Name (as it appears on Form W-9): City of Merced		
2. Address: 678 W. 18th Street		
3. City: Merced	4. State: CA	5. Zip Code: 95340
6. Mailing Address (if different from above):		
7. City:	8. State:	9. Zip Code:
10. Have you applied to any other grant programs for this piece of equipment? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please explain and provide the name of the agency:		
11. If you would prefer <i>priority funding</i> please provide your DUNS number below: DUNS#: 169211554 DUNS number is registered with sam.gov ? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <i>For information on how register your entity on SAM.gov please see the attached SAM Quick Start Guide</i>		

SECTION 2- CONTACT INFORMATION (PLEASE PRINT OR TYPE)

PRIMARY CONTACT INFORMATION	
1. First and Last Name: Charles Slagter	2. Title: WWTP Operations Supervisor
3. Phone Number: (209) 385-6207	4. Fax Number:
5. Alternate Contact Number: (209) 385-6892	6. Email: slagterc@cityofmerced.org
CONTRACT SIGNING AUTHORITY INFORMATION (IF DIFFERENT FROM ABOVE)	
7. First and Last Name: Steve Carrigan	8. Title: City Manager
9. Phone Number: (209) 385-6834	10. Fax Number:
11. Alternate Contact Number: (209) 388-8668	12. Email: carrigans@cityofmerced.org
<input checked="" type="checkbox"/> Check here if you prefer to have all correspondence and your contract emailed to you.	

SECTION 3 – EXISTING/OLD EQUIPMENT ACTIVITY INFORMATION (PLEASE PRINT OR TYPE)

1. Equipment Address: 10260 Gove Road	
2. City: Merced	3. Zip Code: 95341
4. Applicant Designated Fleet Number for Equipment (if applicable): L-845	
5. County of Operation (check all that apply): <input type="checkbox"/> Fresno <input type="checkbox"/> Kern (Valley Portion) <input type="checkbox"/> Kings <input type="checkbox"/> Madera <input checked="" type="checkbox"/> Merced <input type="checkbox"/> San Joaquin <input type="checkbox"/> Stanislaus <input type="checkbox"/> Tulare <input type="checkbox"/> Other, specify:	
6. Equipment Type: (examples: agricultural tractor, wheel loader, baler, combine, grader, forklift, etc.) agricultural tractor	
7. Annual Operation (in hours): approximately 500 hours	
8. % Use in SJVAPCD: 100%	9. % Use in California: 100%
10. Have you owned and operated the equipment in California for the previous two (2) years? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, this equipment is ineligible for funding.	
11. Is this equipment operational? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, this equipment is ineligible for funding.	

SECTION 4 – EXISTING/OLD EQUIPMENT INFORMATION (PLEASE PRINT OR TYPE)

1. Equipment Make: Case IH	2. Equipment Model: CX90
3. Equipment Model Year: 1999	4. Equipment Identification Number (VIN or PIN): C090AS4JJE1009879
5. Engine Make: Perkins	6. Engine Model: Perkins Type 5632/2200; Perkins Family PKXL03.8L
7. Engine Model Year: 1999	8. Advertised Horsepower Rating: 90
9. Engine Serial Number: AQ507130927	
10. US EPA Engine Family Name (if available):	
11. Engine Tier: <input type="checkbox"/> Uncontrolled, Tier 0 <input checked="" type="checkbox"/> Tier 1 <input type="checkbox"/> Tier 2 <input type="checkbox"/> Tier 3 or 4 (Ineligible for funding)	
12. Fuel Type: <input checked="" type="checkbox"/> Diesel <input type="checkbox"/> Gasoline (Ineligible for funding) <input type="checkbox"/> Propane (Ineligible for funding)	

SECTION 5 – NEW REPLACEMENT EQUIPMENT INFORMATION (PLEASE PRINT OR TYPE)

1. Equipment Make: Case IH		
2. Equipment Model: Magnum	3. Equipment Model Year: 2019	
4. Engine Make: FPT		
5. Engine Model: F2CFE614D*B	6. Engine Model Year: 2019	
7. Fuel Type: Diesel	8. Advertised Horsepower Rating: 310	
9. US EPA Engine Family Name: KFPXL08.7T4V		
10. Engine Tier: <input type="checkbox"/> Tier 1 (Ineligible for funding) <input type="checkbox"/> Tier 2 (Ineligible for funding) <input type="checkbox"/> Tier 3 (Flex) <input type="checkbox"/> Tier 4 Alt NOx <input type="checkbox"/> Interim Tier 4 <input checked="" type="checkbox"/> Tier 4 Final		
11. Total Cost of New Equipment: \$316,702.03	12. Tax Rate: 8.25%	

SECTION 6 – NEW REPLACEMENT EQUIPMENT DEALER INFORMATION (PLEASE PRINT OR TYPE)

1. Dealership Name: N & S Tractor Co		
2. Address: 600 S. Hwy 59		
3. City: Merced	4. State: CA	5. Zip Code: 95341
6. Contact Name: Bob Souza		
7. Phone Number: (209) 383-5888	8. Fax Number: (209) 722-2411	9. Email: bob@nstractor.com

THIRD PARTY INFORMATION

This section **must be completed** if any part of the application was filled out on your behalf by a third party. Please sign & date.

1. Contact Name:	2. Title:
3. Business Name:	4. Phone Number:
5. Cost of Services (not eligible for funding reimbursement):	6. Source of Funds to Pay for Third Party Services:

I hereby certify that all information provided in this application and any attachments are true and correct to the best of my knowledge, and that SJVAPCD funds may not be utilized to compensate me for my services.

Third Party Signature

Date

CERTIFICATIONS FORM

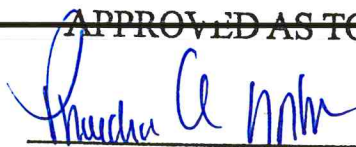
By signing this Certifications form, I certify that I have read and understand the Eligibility Criteria and Application Guidelines document and agree to adhere to its requirements. Additionally, by signing this Certifications form, I certify to the statements and agree to adhere to the terms and conditions described below:

1. The emission reductions obtained through this program are not required by any federal, state, or local regulation, memorandum of agreement/understanding (MOA/MOU) with a regulatory agency, settlement agreement, mitigation requirement, or other legal mandate.
2. Projects funded by SJVAPCD will not be used as marketable emission reduction credits, to offset any emission reduction obligation, or for credit under any federal or state emission averaging, banking and trading program. In addition, projects funded through this program may not be used to generate a compliance extension or extra credit for determining regulatory compliance.
3. Proposed project has not received funding or is not under agreement with any other air district, ARB, or any other public agency. Any current financial incentive that directly reduces the project cost; including tax credits or deductions, grants, or other public financial assistance for the same engine or equipment; must be disclosed to the SJVAPCD.
4. The new replacement equipment will be domiciled within the boundaries of the SJVAPCD and the participant will operate the new equipment at least seventy-five percent (75%) of the equipment's annual hours of operation within California and fifty percent (50%) within SJVAPCD boundaries.
5. The new replacement equipment will have no more than 250 hours on the hour meter at the time of purchase, will serve the same function and perform the same work equivalent as the old equipment(s). In addition, participant will comply with the reporting requirements of the program and keep appropriate records through the full term of the agreement, as determined by the SJVAPCD and ARB.
6. ARB is providing flexibility that allows participants in the Carl Moyer Program to opt-out of the default retrofit requirement for equipment not subject to an approved in-use regulation. Due to any existing or future regulations, the applicant may be required to install a retrofit on the engine at the applicant's expense if an OEM is not already installed on the new equipment. The designated agreement signing authority intends to opt-out of the default retrofit requirement and understands that due to any existing or future regulations the applicant may be required to install a retrofit(s) on the engine(s) at the applicant's expense.
7. Participant certifies that the equipment submitted in the application operates 100% of the time in agricultural operations as defined in the Off-Road Regulation and is therefore exempt from the regulation. (See Page 3 of the TRP guidelines for the definition) OR Participant certifies that the equipment submitted in the application operates between 51% and 99% of the time in agricultural operations as defined in the Off-Road Regulation and is therefore exempt from the performance requirements of the regulation. All other requirements of the regulation, such as, reporting fleet information to ARB's Diesel Off-Road On-Line Reporting System (DOORS) and labeling the participant's equipment with an ARB Equipment Identification Number (EIN), have been met. Documentation from the DOORS has been submitted with the application.
8. I certify under penalty of perjury that I will not accept a grant from any other local, state or federal agency, including any funding from the Natural Resources Conservation Service (NRCS), for the equipment on this application.
9. I agree not to purchase, make a payment towards, and/or take possession of new replacement equipment prior to receiving an executed contract from the SJVAPCD.

Contract Signing Authority Signature

Date

APPROVED AS TO FORM:



APPLICATION PACKET CHECKLIST

This application is limited to the purchase of one new reduced-emission replacement equipment. Please complete a separate application for each new piece of replacement equipment you intend to purchase. When submitting a project for consideration, submit a **complete** application packet. An incomplete application packet will lengthen the application processing time and delay possible incentive funding. A complete application packet includes the following items:

- ☐ Completed **Application**, all four (4) pages, which include the following:
 - ☐ If applicable, completed **Third Party Information** section (page 3).
 - ☐ Completed and signed **Certifications Form** (page 4).
- ☐ First page of IRS Request for Taxpayer Identification Number and Certification Form W-9 (**Form W-9**).
- ☐ Dated and itemized dealer **quote** for the new replacement equipment (previously owned equipment is not eligible). The quote must, at a minimum, include the following:
 - The applicant/organization name and address.
 - The replacement equipment dealer name and address.
 - The replacement equipment make, model and model year.
 - The ARB certified engine make, model, advertised horsepower (**not** PTO horsepower) and US EPA Engine Family Name
 - A complete and detailed breakdown of all material costs: replacement equipment, new engine, core charge, hardware, warranty costs, freight or shipping costs, setup fees, document preparation fees, tire disposal fees, and the sales tax with the percentage rate indicated. Please list all additional and optional equipment or attachments separately in a line item format.

Funding amounts are based on a dollar per advertised horsepower basis, based on the horsepower rating of the engine in the new equipment according to the following table, **not to exceed 60% of the eligible costs**. Maximum eligible incentive amounts are calculated up to the cost-effectiveness limit and may not necessarily reflect the maximum funding amount based on the aforementioned funding table:

Cotton Pickers & Wheel Loaders (advertised hp rating)	SJVAPCD Incentive
All Horsepower Ratings	\$650/hp
Agricultural Tractors (advertised hp rating)	SJVAPCD Incentive
25-74	\$300/hp
75-149	\$350/hp
150 +	\$500/hp
Specialty Equipment (advertised hp rating)	SJVAPCD Incentive
25-109	\$450/hp
110+	\$500/hp

Please return all completed applications to:

1990 East Gettysburg Avenue Fresno, CA 93726-0244

Phone: (559) 230-5800 ■ Fax: (559) 230-6112 ■ Email: grants@valleyair.org

Don't forget to retain a full copy of the completed application for your own records.

For additional assistance, please contact staff in the Strategies and Incentives Department at (559) 230-5800.



Quick Start Guide for Entities Interested in Being Eligible for Grants



How to register your entity to be eligible for GRANTS in SAM:

Before you register, you need to know the following:

What is an Entity?

In SAM, your company/business/organization is now referred to as an "Entity."

- **REGISTERING IN SAM IS FREE.**
- If you were registered in CCR, your company's information is already in SAM. You just need to set up a SAM account. See the "Migrating Roles" Quick Start Guide.

Your Entity's DUNS Number

You need a DUNS to register your entity in SAM.

- If you do not have a DUNS number, you can request a DUNS number for free by visiting D&B at <http://fedgov.dnb.com/webform>
- It takes 1-2 business days to obtain a DUNS.

Your Entity's Taxpayer Identification Number (TIN)

You need your entity's Tax ID Number (TIN) and taxpayer name (as it appears on your last tax return). Foreign entities that do not pay employees within the U.S. do not need to provide a TIN.

- A TIN is an Employer Identification Number (EIN) assigned by the Internal Revenue Service (IRS).
- Sole proprietors may use their Social Security Number (SSN) assigned by the Social Security Administration (SSA) if they do not have a TIN, but please be advised it will not be treated as privacy act data in SAM.
- To obtain an EIN visit: www.irs.gov/businesses/small/article/0,,id=102767,00.html
- Activating a new EIN with the IRS takes 2-5 weeks.

Steps For Registering Your Entity in SAM

1. Go to www.sam.gov
2. Create a Personal Account and Login
3. Click "Register New Entity" under "Manage Entity" on your "My SAM" page
4. Select your type of Entity
5. Select "No" to "Do you wish to bid on contracts?"
6. Select "Yes" to "Do you want to be eligible for grants and other federal assistance?"
7. Complete "Core Data"
 - ✓ Validate your DUNS information
 - ✓ Enter Business Information (TIN, etc.)
 - ✓ Enter CAGE code if you have one. If not, one will be assigned to you after your registration is completed. Foreign registrants must enter NCAGE code.
 - ✓ Enter General Information (business types, organization structure, etc)
 - ✓ Financial Information (Electronic Funds Transfer (EFT) Information)
 - ✓ Executive Compensation
 - ✓ Proceedings Details
8. Complete "Points of Contact"
9. Your entity registration will become active after 3-5 days when the IRS validates your TIN information.

How do I get more information? Take a look at the SAM User Guide.



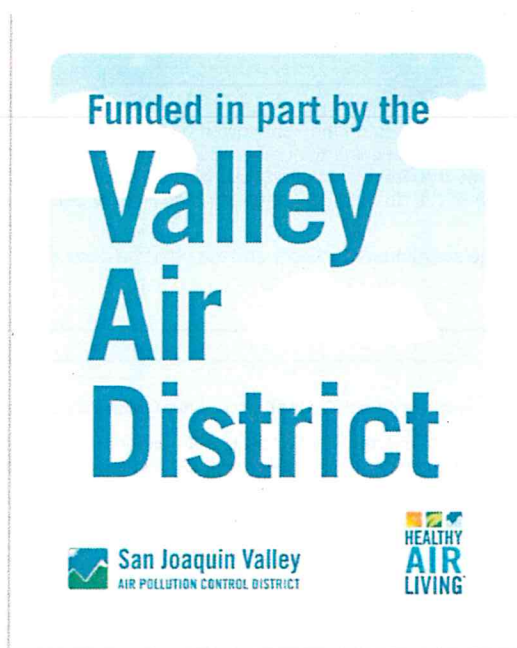
Go to Our Website: www.sam.gov



Contact the SAM Help Desk: www.fsd.gov

VALLEY AIR DISTRICT STICKER

After receiving a signed, executed contract, a “Funded in part by the Valley Air District” sticker will be attached to the hood of all new replacement equipment. The sticker will be provided and attached by a SJVAPCD inspector during the post-inspection prior to incentive reimbursement. Funding will not be dispersed if the aforementioned sticker is not attached and visible for the post-inspection pictures. See below for a picture of the 4”x5” sticker:



For additional information, please contact:

**San Joaquin Valley Air Pollution Control District
Strategies and Incentives Department
1990 East Gettysburg Avenue
Fresno, CA 93726-0244**

You may also contact us by phone, email, or visit our website:

(559) 230-5800

grants@valleyair.org

www.valleyair.org

Request for Taxpayer Identification Number and Certification

Give Form to the
requester. Do not
send to the IRS.

Print or type See Specific Instructions on page 2.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.	
	2 Business name/disregarded entity name, if different from above	
	3 Check appropriate box for federal tax classification; check only one of the following seven boxes: <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner. <input type="checkbox"/> Other (see instructions) ▶ _____	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <i>(Applies to accounts maintained outside the U.S.)</i>
	5 Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
	6 City, state, and ZIP code	
7 List account number(s) here (optional)		

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

Social security number									
				-				-	
or									
Employer identification number									
				-					

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

Sign Here	Signature of U.S. person ▶	Date ▶
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at www.irs.gov/fw9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
 - Form 1099-C (canceled debt)
 - Form 1099-A (acquisition or abandonment of secured property)
- Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding? on page 2.

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.

Note. If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien;
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States;
- An estate (other than a foreign estate); or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

In the cases below, the following person must give Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States:

- In the case of a disregarded entity with a U.S. owner, the U.S. owner of the disregarded entity and not the entity;
- In the case of a grantor trust with a U.S. grantor or other U.S. owner, generally, the U.S. grantor or other U.S. owner of the grantor trust and not the trust; and
- In the case of a U.S. trust (other than a grantor trust), the U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

Foreign person. If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person, do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Publication 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items:

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity, give the requester the appropriate completed Form W-8 or Form 8233.

Backup Withholding

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 28% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, payments made in settlement of payment card and third party network transactions, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the Part II instructions on page 3 for details),

3. The IRS tells the requester that you furnished an incorrect TIN,

4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or

5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See *Exempt payee code* on page 3 and the separate Instructions for the Requester of Form W-9 for more information.

Also see *Special rules for partnerships* above.

What is FATCA reporting?

The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all United States account holders that are specified United States persons. Certain payees are exempt from FATCA reporting. See *Exemption from FATCA reporting code* on page 3 and the Instructions for the Requester of Form W-9 for more information.

Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account; for example, if the grantor of a grantor trust dies.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Line 1

You must enter one of the following on this line; **do not** leave this line blank. The name should match the name on your tax return.

If this Form W-9 is for a joint account, list first, and then circle, the name of the person or entity whose number you entered in Part I of Form W-9.

a. **Individual.** Generally, enter the name shown on your tax return. If you have changed your last name without informing the Social Security Administration (SSA) of the name change, enter your first name, the last name as shown on your social security card, and your new last name.

Note. ITIN applicant: Enter your individual name as it was entered on your Form W-7 application, line 1a. This should also be the same as the name you entered on the Form 1040/1040A/1040EZ you filed with your application.

b. **Sole proprietor or single-member LLC.** Enter your individual name as shown on your 1040/1040A/1040EZ on line 1. You may enter your business, trade, or "doing business as" (DBA) name on line 2.

c. **Partnership, LLC that is not a single-member LLC, C Corporation, or S Corporation.** Enter the entity's name as shown on the entity's tax return on line 1 and any business, trade, or DBA name on line 2.

d. **Other entities.** Enter your name as shown on required U.S. federal tax documents on line 1. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on line 2.

e. **Disregarded entity.** For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a "disregarded entity." See Regulations section 301.7701-2(c)(2)(iii). Enter the owner's name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner's name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on line 2, "Business name/disregarded entity name." If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

Line 2

If you have a business name, trade name, DBA name, or disregarded entity name, you may enter it on line 2.

Line 3

Check the appropriate box in line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box in line 3.

Limited Liability Company (LLC). If the name on line 1 is an LLC treated as a partnership for U.S. federal tax purposes, check the "Limited Liability Company" box and enter "P" in the space provided. If the LLC has filed Form 8832 or 2553 to be taxed as a corporation, check the "Limited Liability Company" box and in the space provided enter "C" for C corporation or "S" for S corporation. If it is a single-member LLC that is a disregarded entity, do not check the "Limited Liability Company" box; instead check the first box in line 3 "Individual/sole proprietor or single-member LLC."

Line 4, Exemptions

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space in line 4 any code(s) that may apply to you.

Exempt payee code.

• Generally, individuals (including sole proprietors) are not exempt from backup withholding.

- Except as provided below, corporations are exempt from backup withholding for certain payments, including interest and dividends.
- Corporations are not exempt from backup withholding for payments made in settlement of payment card or third party network transactions.
- Corporations are not exempt from backup withholding with respect to attorneys' fees or gross proceeds paid to attorneys, and corporations that provide medical or health care services are not exempt with respect to payments reportable on Form 1099-MISC.

The following codes identify payees that are exempt from backup withholding. Enter the appropriate code in the space in line 4.

- 1—An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2)
- 2—The United States or any of its agencies or instrumentalities
- 3—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities
- 4—A foreign government or any of its political subdivisions, agencies, or instrumentalities
- 5—A corporation
- 6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or possession
- 7—A futures commission merchant registered with the Commodity Futures Trading Commission
- 8—A real estate investment trust
- 9—An entity registered at all times during the tax year under the Investment Company Act of 1940
- 10—A common trust fund operated by a bank under section 584(a)
- 11—A financial institution
- 12—A middleman known in the investment community as a nominee or custodian
- 13—A trust exempt from tax under section 664 or described in section 4947

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 13.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 7
Broker transactions	Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 4
Payments over \$600 required to be reported and direct sales over \$5,000 ¹	Generally, exempt payees 1 through 5 ²
Payments made in settlement of payment card or third party network transactions	Exempt payees 1 through 4

¹ See Form 1099-MISC, Miscellaneous Income, and its instructions.

² However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney reportable under section 6045(f), and payments for services paid by a federal executive agency.

Exemption from FATCA reporting code. The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. Therefore, if you are only submitting this form for an account you hold in the United States, you may leave this field blank. Consult with the person requesting this form if you are uncertain if the financial institution is subject to these requirements. A requester may indicate that a code is not required by providing you with a Form W-9 with "Not Applicable" (or any similar indication) written or printed on the line for a FATCA exemption code.

A—A corporation exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37)

B—The United States or any of its agencies or instrumentalities

C—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities

D—A corporation the stock of which is regularly traded on one or more established securities markets, as described in Regulations section 1.1472-1(c)(1)(i)

E—A corporation that is a member of the same expanded affiliated group as a corporation described in Regulations section 1.1472-1(c)(1)(i)

F—A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state

G—A real estate investment trust

H—A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940

I—A common trust fund as defined in section 584(a)

J—A bank as defined in section 581

K—A broker

L—A trust exempt from tax under section 664 or described in section 4947(a)(1)

M—A tax exempt trust under a section 403(b) plan or section 457(g) plan

Note. You may wish to consult with the financial institution requesting this form to determine whether the FATCA code and/or exempt payee code should be completed.

Line 5

Enter your address (number, street, and apartment or suite number). This is where the requester of this Form W-9 will mail your information returns.

Line 6

Enter your city, state, and ZIP code.

Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN. However, the IRS prefers that you use your SSN.

If you are a single-member LLC that is disregarded as an entity separate from its owner (see *Limited Liability Company (LLC)* on this page), enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

Note. See the chart on page 4 for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local SSA office or get this form online at www.ssa.gov. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at www.irs.gov/businesses and clicking on Employer Identification Number (EIN) under Starting a Business. You can get Forms W-7 and SS-4 from the IRS by visiting IRS.gov or by calling 1-800-TAX-FORM (1-800-829-3676).

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note. Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: A disregarded U.S. entity that has a foreign owner must use the appropriate Form W-8.

Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if items 1, 4, or 5 below indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on line 1 must sign. Exempt payees, see *Exempt payee code* earlier.

Signature requirements. Complete the certification as indicated in items 1 through 5 below.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments made in settlement of payment card and third party network transactions, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account)	The actual owner of the account or, if combined funds, the first individual on the account ¹
3. Custodian account of a minor (Uniform Gift to Minors Act)	The minor ²
4. a. The usual revocable savings trust (grantor is also trustee) b. So-called trust account that is not a legal or valid trust under state law	The grantor-trustee ¹ The actual owner ¹
5. Sole proprietorship or disregarded entity owned by an individual	The owner ³
6. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(b)(2)(i)(A))	The grantor ⁴
For this type of account:	Give name and EIN of:
7. Disregarded entity not owned by an individual	The owner
8. A valid trust, estate, or pension trust	Legal entity ⁴
9. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
10. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
11. Partnership or multi-member LLC	The partnership
12. A broker or registered nominee	The broker or nominee
13. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
14. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulations section 1.671-4(b)(2)(i)(B))	The trust

¹ List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

² Circle the minor's name and furnish the minor's SSN.

³ You must show your individual name and you may also enter your business or DBA name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

⁴ List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships* on page 2.

***Note.** Grantor also must provide a Form W-9 to trustee of trust.

Note. If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

Secure Your Tax Records from Identity Theft

Identity theft occurs when someone uses your personal information such as your name, SSN, or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Publication 4535, Identity Theft Prevention and Victim Assistance.

Victims of identity theft who are experiencing economic harm or a system problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

Protect yourself from suspicious emails or phishing schemes. Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to phishing@irs.gov. You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration (TIGTA) at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at: spam@uce.gov or contact them at www.ftc.gov/idtheft or 1-877-IDTHEFT (1-877-438-4338).

Visit IRS.gov to learn more about identity theft and how to reduce your risk.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.

SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT

Off-Road Vehicle Component

AG TRACTOR REPLACEMENT PROGRAM

APPLICATION

AGRICULTURAL TRACTOR / MOBILE EQUIPMENT REPLACEMENT OPTION

SECTION 1 - APPLICANT INFORMATION (PLEASE PRINT OR TYPE)

ORGANIZATION INFORMATION		
1. Organization, Company, or Proprietor's Name (as it appears on Form W-9): City of Merced		
2. Address: 678 W. 18th Street		
3. City: Merced	4. State: CA	5. Zip Code: 95340
6. Mailing Address (if different from above):		
7. City:	8. State:	9. Zip Code:
10. Have you applied to any other grant programs for this piece of equipment? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please explain and provide the name of the agency:		
11. If you would prefer <i>priority funding</i> please provide your DUNS number below: DUNS#: 169211554 DUNS number is registered with sam.gov? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <i>For information on how register your entity on SAM.gov please see the attached SAM Quick Start Guide</i>		

SECTION 2- CONTACT INFORMATION (PLEASE PRINT OR TYPE)

PRIMARY CONTACT INFORMATION	
1. First and Last Name: Charles Slagter	2. Title: WWTP Operations Supervisor
3. Phone Number: (209) 385-6207	4. Fax Number:
5. Alternate Contact Number: (209) 385-6892	6. Email: slagterc@cityofmerced.org
CONTRACT SIGNING AUTHORITY INFORMATION (IF DIFFERENT FROM ABOVE)	
7. First and Last Name: Steve Carrigan	8. Title: City Manager
9. Phone Number: (209) 385-6834	10. Fax Number:
11. Alternate Contact Number: (209) 388-8668	12. Email: carrigans@cityofmerced.org
<input checked="" type="checkbox"/> Check here if you prefer to have all correspondence and your contract emailed to you.	

SECTION 3 – EXISTING/OLD EQUIPMENT ACTIVITY INFORMATION (PLEASE PRINT OR TYPE)

1. Equipment Address: 10260 Gove Road	
2. City: Merced	3. Zip Code: 95341
4. Applicant Designated Fleet Number for Equipment (if applicable): L-1036	
5. County of Operation (check all that apply): <input type="checkbox"/> Fresno <input type="checkbox"/> Kern (Valley Portion) <input type="checkbox"/> Kings <input type="checkbox"/> Madera <input checked="" type="checkbox"/> Merced <input type="checkbox"/> San Joaquin <input type="checkbox"/> Stanislaus <input type="checkbox"/> Tulare <input type="checkbox"/> Other, specify:	
6. Equipment Type: (examples: agricultural tractor, wheel loader, baler, combine, grader, forklift, etc.) agricultural tractor	
7. Annual Operation (in hours): approximately 500 hours	
8. % Use in SJVAPCD: 100%	9. % Use in California: 100%
10. Have you owned and operated the equipment in California for the previous two (2) years? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, this equipment is ineligible for funding.	
11. Is this equipment operational? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, this equipment is ineligible for funding.	

SECTION 4 – EXISTING/OLD EQUIPMENT INFORMATION (PLEASE PRINT OR TYPE)

1. Equipment Make: Challenger	2. Equipment Model: MT655
3. Equipment Model Year: 2004	4. Equipment Identification Number (VIN or PIN): N117022
5. Engine Make: AGCO SISU	6. Engine Model: SISU diesel 8.4 liter; S/N P05345
7. Engine Model Year: 2004	8. Advertised Horsepower Rating: 272
9. Engine Serial Number: P05345	
10. US EPA Engine Family Name (if available): 2SIDL08.4F3A	
11. Engine Tier: <input type="checkbox"/> Uncontrolled, Tier 0 <input type="checkbox"/> Tier 1 <input checked="" type="checkbox"/> Tier 2 <input type="checkbox"/> Tier 3 or 4 (Ineligible for funding)	
12. Fuel Type: <input checked="" type="checkbox"/> Diesel <input type="checkbox"/> Gasoline (Ineligible for funding) <input type="checkbox"/> Propane (Ineligible for funding)	

SECTION 5 – NEW REPLACEMENT EQUIPMENT INFORMATION (PLEASE PRINT OR TYPE)

1. Equipment Make: Case IH		
2. Equipment Model: Magnum	3. Equipment Model Year: 2019	
4. Engine Make: FPT		
5. Engine Model: F2CFE614D*B	6. Engine Model Year: 2019	
7. Fuel Type: Diesel	8. Advertised Horsepower Rating: 310	
9. US EPA Engine Family Name: KFPXL08.7T4V		
10. Engine Tier: <input type="checkbox"/> Tier 1 (Ineligible for funding) <input type="checkbox"/> Tier 2 (Ineligible for funding) <input type="checkbox"/> Tier 3 (Flex) <input type="checkbox"/> Tier 4 Alt NOx <input type="checkbox"/> Interim Tier 4 <input checked="" type="checkbox"/> Tier 4 Final		
11. Total Cost of New Equipment: \$316,702.03	12. Tax Rate: 8.25%	

SECTION 6 – NEW REPLACEMENT EQUIPMENT DEALER INFORMATION (PLEASE PRINT OR TYPE)

1. Dealership Name: N & S Tractor Co		
2. Address: 600 S. Hwy 59		
3. City: Merced	4. State: CA	5. Zip Code: 95341
6. Contact Name: Bob Souza		
7. Phone Number: (209) 383-5888	8. Fax Number: (209) 722-2411	9. Email: bob@nstractor.com

THIRD PARTY INFORMATION

This section **must be completed** if any part of the application was filled out on your behalf by a third party. Please sign & date.

1. Contact Name:	2. Title:
3. Business Name:	4. Phone Number:
5. Cost of Services (not eligible for funding reimbursement):	6. Source of Funds to Pay for Third Party Services:

I hereby certify that all information provided in this application and any attachments are true and correct to the best of my knowledge, and that SJVAPCD funds may not be utilized to compensate me for my services.

Third Party Signature

Date

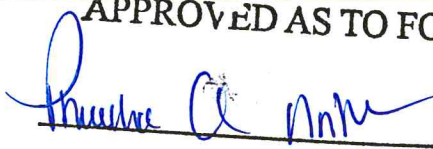
CERTIFICATIONS FORM

By signing this Certifications form, I certify that I have read and understand the Eligibility Criteria and Application Guidelines document and agree to adhere to its requirements. Additionally, by signing this Certifications form, I certify to the statements and agree to adhere to the terms and conditions described below:

1. The emission reductions obtained through this program are not required by any federal, state, or local regulation, memorandum of agreement/understanding (MOA/MOU) with a regulatory agency, settlement agreement, mitigation requirement, or other legal mandate.
2. Projects funded by SJVAPCD will not be used as marketable emission reduction credits, to offset any emission reduction obligation, or for credit under any federal or state emission averaging, banking and trading program. In addition, projects funded through this program may not be used to generate a compliance extension or extra credit for determining regulatory compliance.
3. Proposed project has not received funding or is not under agreement with any other air district, ARB, or any other public agency. Any current financial incentive that directly reduces the project cost; including tax credits or deductions, grants, or other public financial assistance for the same engine or equipment; must be disclosed to the SJVAPCD.
4. The new replacement equipment will be domiciled within the boundaries of the SJVAPCD and the participant will operate the new equipment at least seventy-five percent (75%) of the equipment's annual hours of operation within California and fifty percent (50%) within SJVAPCD boundaries.
5. The new replacement equipment will have no more than 250 hours on the hour meter at the time of purchase, will serve the same function and perform the same work equivalent as the old equipment(s). In addition, participant will comply with the reporting requirements of the program and keep appropriate records through the full term of the agreement, as determined by the SJVAPCD and ARB.
6. ARB is providing flexibility that allows participants in the Carl Moyer Program to opt-out of the default retrofit requirement for equipment not subject to an approved in-use regulation. Due to any existing or future regulations, the applicant may be required to install a retrofit on the engine at the applicant's expense if an OEM is not already installed on the new equipment. The designated agreement signing authority intends to opt-out of the default retrofit requirement and understands that due to any existing or future regulations the applicant may be required to install a retrofit(s) on the engine(s) at the applicant's expense.
7. Participant certifies that the equipment submitted in the application operates 100% of the time in agricultural operations as defined in the Off-Road Regulation and is therefore exempt from the regulation. (See Page 3 of the TRP guidelines for the definition) OR Participant certifies that the equipment submitted in the application operates between 51% and 99% of the time in agricultural operations as defined in the Off-Road Regulation and is therefore exempt from the performance requirements of the regulation. All other requirements of the regulation, such as, reporting fleet information to ARB's Diesel Off-Road On-Line Reporting System (DOORS) and labeling the participant's equipment with an ARB Equipment Identification Number (EIN), have been met. Documentation from the DOORS has been submitted with the application.
8. I certify under penalty of perjury that I will not accept a grant from any other local, state or federal agency, including any funding from the Natural Resources Conservation Service (NRCS), for the equipment on this application.
9. I agree not to purchase, make a payment towards, and/or take possession of new replacement equipment prior to receiving an executed contract from the SJVAPCD.

Contract Signing Authority Signature

Date

APPROVED AS TO FORM:

APPLICATION PACKET CHECKLIST

This application is limited to the purchase of one new reduced-emission replacement equipment. Please complete a separate application for each new piece of replacement equipment you intend to purchase. When submitting a project for consideration, submit a **complete** application packet. An incomplete application packet will lengthen the application processing time and delay possible incentive funding. A complete application packet includes the following items:

- ☐ Completed **Application**, all four (4) pages, which include the following:
 - ☐ If applicable, completed **Third Party Information** section (page 3).
 - ☐ Completed and signed **Certifications Form** (page 4).
- ☐ First page of IRS Request for Taxpayer Identification Number and Certification Form W-9 (**Form W-9**).
- ☐ Dated and itemized dealer **quote** for the new replacement equipment (previously owned equipment is not eligible). The quote must, at a minimum, include the following:
 - The applicant/organization name and address.
 - The replacement equipment dealer name and address.
 - The replacement equipment make, model and model year.
 - The ARB certified engine make, model, advertised horsepower (**not** PTO horsepower) and US EPA Engine Family Name
 - A complete and detailed breakdown of all material costs: replacement equipment, new engine, core charge, hardware, warranty costs, freight or shipping costs, setup fees, document preparation fees, tire disposal fees, and the sales tax with the percentage rate indicated. Please list all additional and optional equipment or attachments separately in a line item format.

Funding amounts are based on a dollar per advertised horsepower basis, based on the horsepower rating of the engine in the new equipment according to the following table, **not to exceed 60% of the eligible costs**. Maximum eligible incentive amounts are calculated up to the cost-effectiveness limit and may not necessarily reflect the maximum funding amount based on the aforementioned funding table:

Cotton Pickers & Wheel Loaders (advertised hp rating)	SJVAPCD Incentive
All Horsepower Ratings	\$650/hp
Agricultural Tractors (advertised hp rating)	SJVAPCD Incentive
25-74	\$300/hp
75-149	\$350/hp
150 +	\$500/hp
Specialty Equipment (advertised hp rating)	SJVAPCD Incentive
25-109	\$450/hp
110+	\$500/hp

Please return all completed applications to:

1990 East Gettysburg Avenue Fresno, CA 93726-0244

Phone: (559) 230-5800 ■ Fax: (559) 230-6112 ■ Email: grants@valleyair.org

Don't forget to retain a full copy of the completed application for your own records.

For additional assistance, please contact staff in the Strategies and Incentives Department at (559) 230-5800.



Quick Start Guide for Entities Interested in Being Eligible for Grants

How to register your entity to be eligible for GRANTS in SAM:

Before you register, you need to know the following:

What is an Entity?

In SAM, your company/business/organization is now referred to as an "Entity."

- **REGISTERING IN SAM IS FREE.**
- If you were registered in CCR, your company's information is already in SAM. You just need to set up a SAM account. See the "Migrating Roles" Quick Start Guide.

Your Entity's DUNS Number

You need a DUNS to register your entity in SAM.

- If you do not have a DUNS number, you can request a DUNS number for free by visiting D&B at <http://fedgov.dnb.com/webform>
- It takes 1-2 business days to obtain a DUNS.

Your Entity's Taxpayer Identification Number (TIN)

You need your entity's Tax ID Number (TIN) and taxpayer name (as it appears on your last tax return). Foreign entities that do not pay employees within the U.S. do not need to provide a TIN.

- A TIN is an Employer Identification Number (EIN) assigned by the Internal Revenue Service (IRS).
- Sole proprietors may use their Social Security Number (SSN) assigned by the Social Security Administration (SSA) if they do not have a TIN, but please be advised it will not be treated as privacy act data in SAM.
- To obtain an EIN visit: www.irs.gov/businesses/small/article/0,,id=102767,00.html
- Activating a new EIN with the IRS takes 2-5 weeks.

Steps For Registering Your Entity in SAM

1. Go to www.sam.gov
2. Create a Personal Account and Login
3. Click "Register New Entity" under "Manage Entity" on your "My SAM" page
4. Select your type of Entity
5. Select "No" to "Do you wish to bid on contracts?"
6. Select "Yes" to "Do you want to be eligible for grants and other federal assistance?"
7. Complete "Core Data"
 - ✓ Validate your DUNS information
 - ✓ Enter Business Information (TIN, etc.)
 - ✓ Enter CAGE code if you have one. If not, one will be assigned to you after your registration is completed. Foreign registrants must enter NCAGE code.
 - ✓ Enter General Information (business types, organization structure, etc)
 - ✓ Financial Information (Electronic Funds Transfer (EFT) Information)
 - ✓ Executive Compensation
 - ✓ Proceedings Details
8. Complete "Points of Contact"
9. Your entity registration will become active after 3-5 days when the IRS validates your TIN information.

How do I get more information? Take a look at the SAM User Guide.



Go to Our Website: www.sam.gov

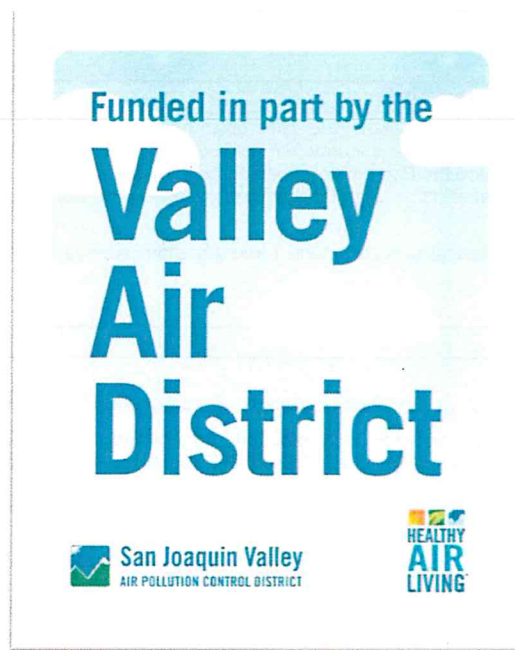


Contact the SAM Help Desk: www.fsd.gov



VALLEY AIR DISTRICT STICKER

After receiving a signed, executed contract, a “Funded in part by the Valley Air District” sticker will be attached to the hood of all new replacement equipment. The sticker will be provided and attached by a SJVAPCD inspector during the post-inspection prior to incentive reimbursement. Funding will not be dispersed if the aforementioned sticker is not attached and visible for the post-inspection pictures. See below for a picture of the 4”x5” sticker:



For additional information, please contact:

**San Joaquin Valley Air Pollution Control District
Strategies and Incentives Department
1990 East Gettysburg Avenue
Fresno, CA 93726-0244**

You may also contact us by phone, email, or visit our website:

(559) 230-5800
grants@valleyair.org
www.valleyair.org

Request for Taxpayer Identification Number and Certification

Give Form to the
requester. Do not
send to the IRS.

Print or type See Specific Instructions on page 2.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.	
	2 Business name/disregarded entity name, if different from above	
	3 Check appropriate box for federal tax classification; check only one of the following seven boxes: <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner. <input type="checkbox"/> Other (see instructions) ▶ _____	
	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <i>(Applies to accounts maintained outside the U.S.)</i>	
	5 Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
	6 City, state, and ZIP code	
	7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

Social security number									
				-					
or									
Employer identification number									
				-					

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

Sign
Here

Signature of
U.S. person ▶

Date ▶

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at www.irs.gov/fw9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding? on page 2.

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.

Note. If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien;
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States;
- An estate (other than a foreign estate); or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

In the cases below, the following person must give Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States:

- In the case of a disregarded entity with a U.S. owner, the U.S. owner of the disregarded entity and not the entity;
- In the case of a grantor trust with a U.S. grantor or other U.S. owner, generally, the U.S. grantor or other U.S. owner of the grantor trust and not the trust; and
- In the case of a U.S. trust (other than a grantor trust), the U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

Foreign person. If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person, do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Publication 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items:

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity, give the requester the appropriate completed Form W-8 or Form 8233.

Backup Withholding

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 28% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, payments made in settlement of payment card and third party network transactions, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the Part II instructions on page 3 for details),

3. The IRS tells the requester that you furnished an incorrect TIN,

4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or

5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See *Exempt payee code* on page 3 and the separate Instructions for the Requester of Form W-9 for more information.

Also see *Special rules for partnerships* above.

What is FATCA reporting?

The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all United States account holders that are specified United States persons. Certain payees are exempt from FATCA reporting. See *Exemption from FATCA reporting code* on page 3 and the Instructions for the Requester of Form W-9 for more information.

Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account; for example, if the grantor of a grantor trust dies.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Line 1

You must enter one of the following on this line; **do not** leave this line blank. The name should match the name on your tax return.

If this Form W-9 is for a joint account, list first, and then circle, the name of the person or entity whose number you entered in Part I of Form W-9.

a. **Individual.** Generally, enter the name shown on your tax return. If you have changed your last name without informing the Social Security Administration (SSA) of the name change, enter your first name, the last name as shown on your social security card, and your new last name.

Note. ITIN applicant: Enter your individual name as it was entered on your Form W-7 application, line 1a. This should also be the same as the name you entered on the Form 1040/1040A/1040EZ you filed with your application.

b. **Sole proprietor or single-member LLC.** Enter your individual name as shown on your 1040/1040A/1040EZ on line 1. You may enter your business, trade, or "doing business as" (DBA) name on line 2.

c. **Partnership, LLC that is not a single-member LLC, C Corporation, or S Corporation.** Enter the entity's name as shown on the entity's tax return on line 1 and any business, trade, or DBA name on line 2.

d. **Other entities.** Enter your name as shown on required U.S. federal tax documents on line 1. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on line 2.

e. **Disregarded entity.** For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a "disregarded entity." See Regulations section 301.7701-2(c)(2)(iii). Enter the owner's name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner's name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on line 2, "Business name/disregarded entity name." If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

Line 2

If you have a business name, trade name, DBA name, or disregarded entity name, you may enter it on line 2.

Line 3

Check the appropriate box in line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box in line 3.

Limited Liability Company (LLC). If the name on line 1 is an LLC treated as a partnership for U.S. federal tax purposes, check the "Limited Liability Company" box and enter "P" in the space provided. If the LLC has filed Form 8832 or 2553 to be taxed as a corporation, check the "Limited Liability Company" box and in the space provided enter "C" for C corporation or "S" for S corporation. If it is a single-member LLC that is a disregarded entity, do not check the "Limited Liability Company" box; instead check the first box in line 3 "Individual/sole proprietor or single-member LLC."

Line 4, Exemptions

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space in line 4 any code(s) that may apply to you.

Exempt payee code.

• Generally, individuals (including sole proprietors) are not exempt from backup withholding.

- Except as provided below, corporations are exempt from backup withholding for certain payments, including interest and dividends.
- Corporations are not exempt from backup withholding for payments made in settlement of payment card or third party network transactions.
- Corporations are not exempt from backup withholding with respect to attorneys' fees or gross proceeds paid to attorneys, and corporations that provide medical or health care services are not exempt with respect to payments reportable on Form 1099-MISC.

The following codes identify payees that are exempt from backup withholding. Enter the appropriate code in the space in line 4.

- 1—An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2)
- 2—The United States or any of its agencies or instrumentalities
- 3—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities
- 4—A foreign government or any of its political subdivisions, agencies, or instrumentalities
- 5—A corporation
- 6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or possession
- 7—A futures commission merchant registered with the Commodity Futures Trading Commission
- 8—A real estate investment trust
- 9—An entity registered at all times during the tax year under the Investment Company Act of 1940
- 10—A common trust fund operated by a bank under section 584(a)
- 11—A financial institution
- 12—A middleman known in the investment community as a nominee or custodian
- 13—A trust exempt from tax under section 664 or described in section 4947

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 13.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 7
Broker transactions	Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 4
Payments over \$600 required to be reported and direct sales over \$5,000 ¹	Generally, exempt payees 1 through 5 ²
Payments made in settlement of payment card or third party network transactions	Exempt payees 1 through 4

¹ See Form 1099-MISC, Miscellaneous Income, and its instructions.

² However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney reportable under section 6045(f), and payments for services paid by a federal executive agency.

Exemption from FATCA reporting code. The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. Therefore, if you are only submitting this form for an account you hold in the United States, you may leave this field blank. Consult with the person requesting this form if you are uncertain if the financial institution is subject to these requirements. A requester may indicate that a code is not required by providing you with a Form W-9 with "Not Applicable" (or any similar indication) written or printed on the line for a FATCA exemption code.

A—An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37)

B—The United States or any of its agencies or instrumentalities

C—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities

D—A corporation the stock of which is regularly traded on one or more established securities markets, as described in Regulations section 1.1472-1(c)(1)(i)

E—A corporation that is a member of the same expanded affiliated group as a corporation described in Regulations section 1.1472-1(c)(1)(i)

F—A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state

G—A real estate investment trust

H—A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940

I—A common trust fund as defined in section 584(a)

J—A bank as defined in section 581

K—A broker

L—A trust exempt from tax under section 664 or described in section 4947(a)(1)

M—A tax exempt trust under a section 403(b) plan or section 457(g) plan

Note. You may wish to consult with the financial institution requesting this form to determine whether the FATCA code and/or exempt payee code should be completed.

Line 5

Enter your address (number, street, and apartment or suite number). This is where the requester of this Form W-9 will mail your information returns.

Line 6

Enter your city, state, and ZIP code.

Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN. However, the IRS prefers that you use your SSN.

If you are a single-member LLC that is disregarded as an entity separate from its owner (see *Limited Liability Company (LLC)* on this page), enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

Note. See the chart on page 4 for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local SSA office or get this form online at www.ssa.gov. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at www.irs.gov/businesses and clicking on Employer Identification Number (EIN) under Starting a Business. You can get Forms W-7 and SS-4 from the IRS by visiting IRS.gov or by calling 1-800-TAX-FORM (1-800-829-3676).

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note. Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: A disregarded U.S. entity that has a foreign owner must use the appropriate Form W-8.

Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if items 1, 4, or 5 below indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on line 1 must sign. Exempt payees, see *Exempt payee code* earlier.

Signature requirements. Complete the certification as indicated in items 1 through 5 below.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments made in settlement of payment card and third party network transactions, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account)	The actual owner of the account or, if combined funds, the first individual on the account ¹
3. Custodian account of a minor (Uniform Gift to Minors Act)	The minor ²
4. a. The usual revocable savings trust (grantor is also trustee) b. So-called trust account that is not a legal or valid trust under state law	The grantor-trustee ¹ The actual owner ¹
5. Sole proprietorship or disregarded entity owned by an individual	The owner ³
6. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(b)(2)(i) (A))	The grantor ⁴
For this type of account:	Give name and EIN of:
7. Disregarded entity not owned by an individual	The owner
8. A valid trust, estate, or pension trust	Legal entity ⁴
9. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
10. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
11. Partnership or multi-member LLC	The partnership
12. A broker or registered nominee	The broker or nominee
13. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
14. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulations section 1.671-4(b)(2)(i) (B))	The trust

¹ List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

² Circle the minor's name and furnish the minor's SSN.

³ You must show your individual name and you may also enter your business or DBA name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

⁴ List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships* on page 2.

***Note.** Grantor also must provide a Form W-9 to trustee of trust.

Note. If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

Secure Your Tax Records from Identity Theft

Identity theft occurs when someone uses your personal information such as your name, SSN, or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Publication 4535, Identity Theft Prevention and Victim Assistance.

Victims of identity theft who are experiencing economic harm or a system problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

Protect yourself from suspicious emails or phishing schemes. Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to phishing@irs.gov. You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration (TIGTA) at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at: spam@uce.gov or contact them at www.ftc.gov/idtheft or 1-877-IDTHEFT (1-877-438-4338).

Visit IRS.gov to learn more about identity theft and how to reduce your risk.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.



CITY OF MERCED

Merced Civic Center
678 W. 18th Street
Merced, CA 95340

ADMINISTRATIVE REPORT

Agenda Item H.5.

Meeting Date: 7/15/2019

Report Prepared by: Joseph D. Angulo, Environmental Project Manager, Engineering

SUBJECT: Award of Bid and Approval of Contract to LSA Associates, Inc. for Environmental Compliance Services for the Proposed Well Site No. 22, Project No. 116020, in the Amount of \$94,422.02

REPORT IN BRIEF

Considers awarding a contract in the amount of \$94,422.02 to LSA Associates, Inc. to prepare an Environmental Impact Report for the proposed municipal Well 22 at 3987 North Hatch Road.

RECOMMENDATION

City Council - Adopt a motion awarding a contract for the proposed Well Site No. 22 environmental impact report to LSA Associates, Inc., in the amount of \$94,422; and, authorizing the City Manager or the Assistant City Manager to execute the necessary documents.

ALTERNATIVES

1. Approve, as recommended by staff; or,
2. Approve, subject to modifications as conditioned by City Council; or,
3. Refer to staff for reconsideration of specific items; or,
4. Deny.

AUTHORITY

Charter of the City of Merced, Section 200, et seq.

Services with an estimated value greater than \$31,000 are made by written contract in accordance with Merced Municipal Code, Title 3 - Revenue and Finance, Chapter 3.04.

Merced County Code, Title 9, Chapter 9.27 - Merced County Groundwater Mining and Export Ordinance No. 1930

CITY COUNCIL PRIORITIES

As provided for in the 2019-20 Adopted Budget

DISCUSSION

Municipal Well Site 22

The City of Merced utilizes groundwater as the sole source for the City's water supply system. Existing municipal Well No. 7B, located at 3362 McKee Road, has contained nitrate concentrations above the California Maximum Contaminant Level for drinking water supplies. Due to this condition, it was taken out of service in April 2009. The State Water Resources Control Board- Drinking Water Division (SWRCB-DDW) is the permitting agency for the City's water supply system and it issued the City an updated Water Permit No. 03-11-17P-029 in March 2017. The new 2017 permit required that the City physically disconnect Well No. 7B from the system.

A new Well No. 22 is proposed to serve as a replacement for Well No. 7B. The City Engineer and Public Works Director have recommended that a new water well be located on a 4-acre City owned parcel at the intersection of Hatch and Cardella Roads (approximately 1.4 miles north of Well No. 7B). This location is outside of the current City limits and in the unincorporated area of Merced County.

The Well No. 22 pump station project generally consists of: the installation of a groundwater well, pump station building, electrical service, emergency backup generator, and associated plumbing to connect the site to the existing water system. The installation of the new groundwater well outside of the City limits will require a permit from the Merced County Department of Public Health, Division of Environmental Health.

In 2015, Merced County adopted a new ordinance pertaining to groundwater supply wells and associated permitting - *Merced County Groundwater Mining and Export Ordinance No. 1930*. This ordinance requires that new well permitting conform to the California Environmental Quality Act (CEQA).

California Environmental Quality Act (CEQA)

Staff expected that a CEQA Focused Environmental Impact Report would be applicable to the new well site project and solicited proposals from consulting firms with relevant environmental compliance experience. Four firms submitted proposals as of the suspense date. An evaluation committee was convened consisting of Public Works Water Division, Planning and Engineering staff members. Each member rated the proposals by granting up to 100 points on criteria including, but not limited to: staff qualifications, technical experience, technical approach and completeness. Shown below are the proposals' combined scores out of a maximum possible of 400 total points:

LSA Associates, Inc., Fresno, California	363
Quad Knopf Inc., Merced, California	361
Provost & Pritchard Consulting Engineers, Merced, California	359
Stantec, Rocklin, California	345

The evaluators selected LSA Associates, Inc. as the preferred proposal.

LSA Associates, Inc. Scope of Work

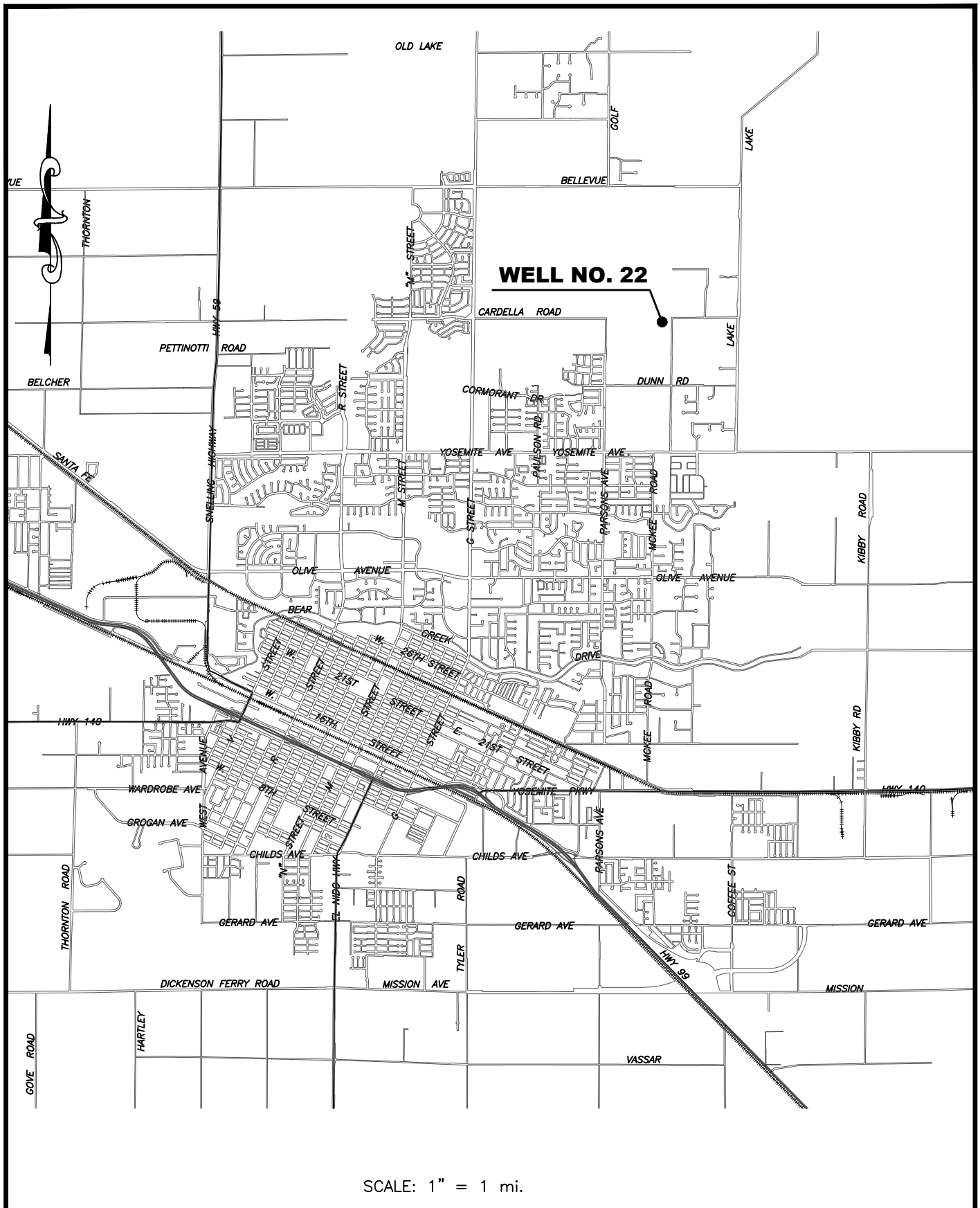
The contract under consideration includes the preparation of an Initial Study and a Focused EIR. The contract also includes assisting staff with reporting and public review requirements of CEQA.

IMPACT ON CITY RESOURCES

This project was established as a Capital Improvement Project and account 556-1118-637.65-00-116020 contains sufficient funding to complete the project.

ATTACHMENTS

1. Vicinity Map
2. Site Map
3. Contract
4. Merced County Ordinance No. 1930



City of Merced
 "Gateway to Yosemite"
DEVELOPMENT SERVICES
 ENGINEERING PROJECTS AND STANDARDS
 678 W. 18th Street (209) 385-6846

Merced Well 22 Location

Figure 1

DR. BY: JDA
 DATE: 6/23/17
 CH. BY:
 DATE:
 File No.
 SCALE: AS SHOWN



NO. DATE	BY	REVISION MADE

Underground Service Alert
TWO DAYS BEFORE YOU DIG
Call 811, or 1 (800) 442-2444

City of Merced
DEVELOPMENT SERVICES
ENGINEERING PROJECTS AND STANDARDS
618 W. 18th Street
(209) 385-6846

ATTACHMENT 2
SITE MAP

CARDELLA AND HATCH

JOB NO. 188 DATE 1/1/17 CLIENT NAME AMMAN DATE 1/1/17 SCALE 1"=40'	SHEET 1 OF 1
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AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT is made and entered into this ____ day of _____, 2019, by and between the City of Merced, a California Charter Municipal Corporation, whose address of record is 678 West 18th Street, Merced, California 95340, (hereinafter referred to as "City") and LSA Associates, Inc., a California Corporation, whose address of record is 20 Executive Park, Suite 200, Irvine, California 92614 (hereinafter referred to as "Consultant").

WHEREAS, City is undertaking a project to construct a municipal well site; and,

WHEREAS, Consultant represents that it possesses the professional skills to provide environmental review services for CEQA in connection with said project.

NOW, THEREFORE, the parties hereto, in consideration of the mutual covenants hereinafter recited, hereby agree as follows:

1. **SCOPE OF SERVICES.** The Consultant shall furnish the following services: Consultant shall provide the environmental services described in Exhibit "A" attached hereto.

No additional services shall be performed by Consultant unless approved in advance in writing by the City, stating the dollar value of the services, the method of payment, and any adjustment in contract time. All such services are to be coordinated with City and the results of the work shall be monitored by the City Engineer or designee. However, the means by which the work is accomplished shall be the sole responsibility of the Consultant.

2. **TIME OF PERFORMANCE.** All of the work outlined in the Scope of Services shall be completed in accordance with the Schedule outlined in Exhibit "B" attached hereto and incorporated herein by reference. By mutual agreement and written addendum to this Agreement, the City and the Consultant may change the requirements in said Schedule.

3. **RESERVED.**

4. **COMPENSATION.** Payment by the City to the Consultant for actual services rendered under this Agreement shall be made upon presentation of an invoice detailing services performed under the Scope of Services, in accordance

with the fee schedule set forth in Exhibit "C" attached hereto and incorporated herein by reference. The Consultant agrees to provide all services required under the Scope of Services in Exhibit "A" within the compensation amount set forth in Exhibit "C". For Consultant's services rendered under this Agreement, City shall pay Consultant the not to exceed sum of Ninety-Four Thousand Four Hundred Twenty-Two Dollars and Two Cents (\$94,422.02).

5. **METHOD OF PAYMENT.** Compensation to Consultant shall be paid by the City after submission by Consultant of an invoice delineating the services performed.

6. **RECORDS.** It is understood and agreed that all plans, studies, specifications, data magnetically or otherwise recorded on computer or computer diskettes, records, files, reports, etc., in possession of the Consultant relating to the matters covered by this Agreement shall be the property of the City, and Consultant hereby agrees to deliver the same to the City upon termination of the Agreement. It is understood and agreed that the documents and other materials including but not limited to those set forth hereinabove, prepared pursuant to this Agreement are prepared specifically for the City and are not necessarily suitable for any future or other use.

7. **CONSULTANT'S BOOKS AND RECORDS.** Consultant shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to charges for services or expenditures and disbursements charged to the City for a minimum of three (3) years, or for any longer period required by law, from the date of final payment to the Consultant to this Agreement. Any records or documents required to be maintained shall be made available for inspection, audit and/or copying at any time during regular business hours, upon oral or written request of the City.

8. **INDEPENDENT CONTRACTOR.** It is expressly understood that Consultant is an independent contractor and that its employees shall not be employees of or have any contractual relationship with the City. Consultant shall be responsible for the payment of all taxes, workers' compensation insurance and unemployment insurance. Should Consultant desire any insurance protection, the Consultant is to acquire same at its expense.

In the event Consultant or any employee, agent, or subcontractor of Consultant providing services under this Agreement is determined by a court of competent jurisdiction or the California Public Employees Retirement System

(PERS) to be eligible for enrollment in PERS as an employee of the City, Consultant shall indemnify, protect, defend, and hold harmless the City for the payment of any employee and/or employer contributions for PERS benefits on behalf of Consultant or its employees, agents, or subcontractors, as well as for the payment of any penalties and interest on such contributions, which would otherwise be the responsibility of City.

9. INDEMNITY. Consultant shall indemnify, protect, defend (with legal counsel selected by the City), save and hold City, its officers, employees, and agents, harmless from any and all claims or causes of action for death or injury to persons, or damage to property resulting from intentional or negligent acts, errors, or omissions of Consultant or Consultant's officers, employees, volunteers, and agents during performance of this Agreement, or from any violation of any federal, state, or municipal law or ordinance, to the extent caused, in whole or in part, by the willful misconduct, negligent acts, or omissions of Consultant or its employees, subcontractors, or agents, or by the quality or character of Consultant's work, or resulting from the negligence of the City, its officers, employees, volunteers and agents, except for loss caused by the sole negligence or willful misconduct of the City or its officers, employees, volunteers or agents. It is understood that the duty of Consultant to indemnify and hold harmless includes the duty to defend as set forth in Section 2778 of the California Civil Code. Acceptance by City of insurance certificates and endorsements required under this Agreement does not relieve Consultant from liability under this indemnification and hold harmless clause. This indemnification and hold harmless clause shall survive the termination of this Agreement and shall apply to any damages or claims for damages whether or not such insurance policies shall have been determined to apply. By execution of this Agreement, Consultant acknowledges and agrees to the provisions of this Section and that it is a material element of consideration.

10. INSURANCE. During the term of this Agreement, Consultant shall maintain in full force and effect at its own cost and expense, the following insurance coverage:

a. Workers' Compensation Insurance. Full workers' compensation insurance shall be provided with a limit of at least One Hundred Thousand Dollars (\$100,000) for any one person and as required by law, including Employer's Liability limits of \$1,000,000.00 per accident. The policy shall be endorsed to waive the insurer's subrogation rights against the City.

b. General Liability.

- (i) Consultant shall obtain and keep in full force and effect general liability coverage at least as broad as ISO commercial general liability coverage occurrence Form CG 0001.
- (ii) Consultant shall maintain limits of no less than One Million Dollars (\$1,000,000) per occurrence for bodily injury, personal injury and property damage.
- (iii) The City, its officers, employees, volunteers and agents are to be named as additional insureds under the policy, as respects liability arising out of work or operations performed by or on behalf of the Consultant.
- (iv) The policy shall stipulate that this insurance will operate as primary insurance for work performed by Consultant and its sub-contractors, and that any other insurance or self insurance maintained by City or other named insureds shall be excess and non-contributory.
- (v) Consultant shall maintain its commercial general liability coverage for three (3) years after completion of the work and shall add an additional insured endorsement form acceptable to the City naming the City of Merced, its officers, employees, agents and volunteers for each year thereafter for at least three (3) years after completion of the work. Copies of the annual renewal and additional insured endorsement form shall be sent to the City within thirty (30) days of the annual renewal.

c. Automobile Insurance.

- (i) Consultant shall obtain and keep in full force and effect an automobile policy of at least One Million Dollars (\$1,000,000) per accident for bodily injury and property damage.
- (ii) The City, its officers, employees, volunteers and agents are to be named as additional insureds under the policy, as respects automobiles owned, leased, hired or borrowed by the Consultant.

- (iii) The policy shall stipulate that this insurance will operate as primary insurance for work performed by Consultant and its sub-contractors, and that any other insurance or self insurance maintained by City or other named insureds shall be excess and non-contributory.

d. Professional Liability Insurance. Consultant shall carry professional liability insurance appropriate to Consultant's profession in the minimum amount of One Million Dollars (\$1,000,000). Architects and engineers' coverage is to be endorsed to include contractual liability.

e. Qualifications of Insurer. The insurance shall be provided by an acceptable insurance provider, as determined by City, which satisfies all of the following minimum requirements:

- (i) An insurance carrier admitted to do business in California and maintaining an agent for service of process within this State; and,
- (ii) An insurance carrier with a current A.M. Best Rating of A:VII or better (except for workers' compensation provided through the California State Compensation Fund).

f. Certificate of Insurance. Consultant shall complete and file with the City prior to engaging in any operation or activity set forth in this Agreement, certificates of insurance evidencing coverage as set forth above and which shall provide that no cancellation or expiration by the insurance company will be made during the term of this Agreement, without thirty (30) days written notice to City prior to the effective date of such cancellation—including cancellation for nonpayment of premium.

g. Notwithstanding any language in this Agreement to the contrary, Consultant shall be entitled to be paid pursuant to the terms of this Agreement until Consultant has obtained the insurance required by this Section 10 and provided documentation of said insurance to the City. In addition to any other remedies City may have, City reserves the right to withhold payment if Consultant's insurance policies are not current.

11. ASSIGNABILITY OF AGREEMENT. It is understood and agreed that this Agreement contemplates personal performance by the Consultant and is

based upon a determination of its unique personal competence and experience and upon its specialized personal knowledge. Assignments of any or all rights, duties or obligations of the Consultant under this Agreement will be permitted only with the express written consent of the City.

12. **TERMINATION FOR CONVENIENCE OF CITY.** The City may terminate this Agreement any time by mailing a notice in writing to Consultant that the Agreement is terminated. Said Agreement shall then be deemed terminated, and no further work shall be performed by Consultant. If the Agreement is so terminated, the Consultant shall be paid for that percentage of the phase of work actually completed, based on a pro rata portion of the compensation for said phase satisfactorily completed at the time the notice of termination is received.

13. **CONFORMANCE TO APPLICABLE LAWS.** Consultant shall comply with its standard of care regarding all applicable Federal, State, and municipal laws, rules and ordinances. No discrimination shall be made by Consultant in the employment of persons to work under this contract because of race, color, national origin, ancestry, disability, sex or religion of such person.

Consultant hereby promises and agrees to comply with all of the provisions of the Federal Immigration and Nationality Act (8 U.S.C.A. 1101 *et seq.*), as amended; and in connection therewith, shall not employ unauthorized aliens as defined therein. Should Consultant so employ such unauthorized aliens for the performance of work and/or services covered by this Agreement, and should any agency or instrumentality of the federal or state government, including the courts, impose sanctions against the City for such use of unauthorized aliens, Consultant hereby agrees to, and shall, reimburse City for the cost of all such sanctions imposed, together with any and all costs, including attorneys' fees, incurred by the City in connection therewith.

14. **WAIVER.** In the event that either City or Consultant shall at any time or times waive any breach of this Agreement by the other, such waiver shall not constitute a waiver of any other or succeeding breach of this Agreement, whether of the same or any other covenant, condition or obligation. Waiver shall not be deemed effective until and unless signed by the waiving party.

15. **INCONSISTENT OR CONFLICTING TERMS IN AGREEMENT AND EXHIBITS.** In the event of any contradiction or inconsistency between any attached document(s) or exhibit(s) incorporated by reference herein and the provisions of the Agreement itself, the terms of the Agreement shall control.

Any exhibit that is attached and incorporated by reference shall be limited to the purposes for which it is attached, as specified in this Agreement. Any contractual terms or conditions contained in such exhibit imposing additional obligations on the City are not binding upon the City unless specifically agreed to in writing, and initialed by the authorized City representative, as to each additional contractual term or condition.

16. **AMBIGUITIES.** This Agreement has been negotiated at arms' length between persons knowledgeable in the matters dealt with herein. Accordingly, any rule of law, including, but not limited to, Section 1654 of the Civil Code of California, or any other statutes, legal decisions, or common-law principles of similar effect, that would require interpretation of any ambiguities in this Agreement against the party that drafted this Agreement is of no application and is hereby expressly waived.

17. **VENUE.** This Agreement and all matters relating to it shall be governed by the laws of the State of California and any action brought relating to this agreement shall be held exclusively in a state court in the County of Merced.

18. **AMENDMENT.** This Agreement shall not be amended, modified, or otherwise changed unless in writing and signed by both parties hereto.

19. **INTEGRATION.** This Agreement constitutes the entire understanding and agreement of the parties and supersedes all previous and/or contemporaneous understanding or agreement between the parties with respect to all or any part of the subject matter hereof.

20. **AUTHORITY TO EXECUTE.** The person or persons executing this Agreement on behalf of the parties hereto warrants and represents that he/she/they has/have the authority to execute this Agreement on behalf of their entity and has/have the authority to bind their party to the performance of its obligations hereunder.

21. **COUNTERPARTS.** This Agreement may be executed in one or more counterparts with each counterpart being deemed an original. No counterpart shall be deemed to be an original or presumed delivered unless and until the counterparts executed by the other parties hereto are in the physical possession of the party or parties seeking enforcement thereof.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the date first above written.

CITY OF MERCED
A California Charter Municipal
Corporation

BY: _____
City Manager

ATTEST:
STEVE CARRIGAN, CITY CLERK

BY: _____
Assistant/Deputy City Clerk

APPROVED AS TO FORM:

BY: Shirley A. Dink 5-7-19
City Attorney Date

ACCOUNT DATA:

BY: _____
Verified by Finance Officer

CONSULTANT
LSA ASSOCIATES, INC.,
A California Corporation

BY: 
Mike Trotta
President
Its: ~~Chief Executive Officer~~
(Title)

Taxpayer I.D. No. 94-2341614

ADDRESS: 20 Executive Park,
Suite 200
Irvine, CA 92614

TELEPHONE: (949) 533-0666

FAX: _____

E-MAIL: Mike.Trotta@lsa.net
Contracts@lsa.net

May 6, 2019

Mr. Joseph D. Angulo, P.G.
Environmental Project Manager
Public Works - Engineering
City of Merced
678 West 18th Street
Merced, CA 95340

Subject: Scope of Work for Environmental Services for Municipal Well Site #22

Dear Mr. Angulo:

LSA submits this scope of work to provide environmental review services for the Merced Municipal Well #22 Project (proposed project) pursuant to the California Environmental Quality Act (CEQA). In response to your request for a proposal, LSA developed an approach and work program that provides for a robust environmental review of the project. Our scope of work includes the following features to ensure that the environmental review process is completed quickly and efficiently:

- Availability of LSA's senior management team, Amy Fischer, Principal, and Kyle Simpson, Associate/Project Manager, who will see the project through from beginning to end;
- Commitment of LSA's in-house experts for key issues of biological resources, cultural resources, air quality, greenhouse gas emissions, and noise; and
- Ability to work collaboratively with agencies and project applicants, and to communicate effectively with diverse audiences at public forums.

We are joined by MKN & Associates to provide expertise on utilities and service systems. We approach this project with a great deal of enthusiasm and are confident that we have the essential project management capabilities, strategic thinking skills, and experience to efficiently and effectively complete the required environmental review process and to assist staff through the public process. As is always the case with our proposed scope, budget, and schedule, we are open to suggestions for refinement and look forward to discussing with you our approach to this assignment. If you have any questions regarding this scope of work, please call Kyle or Amy at 559-490-1210 or e-mail us at kyle.simpson@lsa.net and amy.fischer@lsa.net.

Sincerely,

LSA Associates, Inc.



Amy Fischer
Principal



Kyle Simpson
Associate/Project Manager

PROJECT UNDERSTANDING AND SCOPE OF WORK

PROJECT UNDERSTANDING

The City of Merced is proposing the construction and operation of a new municipal water production well. The proposed well would be located on a City-owned parcel west of the intersection of Cardella Road and Hatch Road. In unincorporated area of Merced County, north of the City. The proposed well would be a replacement for another City-owned well that is no longer in service.

Based on our review of the City's Request for Proposals, LSA understands that the City of Merced is seeking to prepare a comprehensive Initial Study and Focused EIR to satisfy the requirements of CEQA. Our proposed work program, which includes preparation of all technical materials that the LSA team anticipates would be appropriate to provide for an adequate and legally-defensible environmental review effort, is detailed below.

The overarching goal in preparing the Focused EIR is for LSA to function as an extension of City staff, and provide a legally-defensible and well-written document that is easy to understand not only for the public, but for City decision-makers, City staff, and responsible agencies. Our proximity to the City's office also allows LSA staff to easily attend meetings and be generally available to attend in-person meetings.

To that end, LSA has developed an approach and work program designed to result in a comprehensive, legally-robust EIR that meets City requirements. The Focused EIR and environmental review process, in general, will provide a comprehensive evaluation of the proposed project. Our scope of work is designed to achieve the following key objectives:

- Collaborate with the City to define the project for CEQA purposes and craft a detailed project description that accurately reflects all elements of the proposed project including anticipated uses and requested project approvals.
- Prepare a Focused EIR that responds to and meets the specific requirements and interests of the diverse group of government agencies and organizations that are expected to review the Focused EIR and may be responsible for specific project approvals.
- Provide a rigorous, project-level analysis of the environmental effects of the proposed project to minimize subsequent environmental review.
- Create a Focused EIR that is accessible and relevant through thoughtful and concise writing and use of data-rich graphics.

SCOPE OF WORK

The scope of work for preparation of the Focused EIR is detailed below. An outline of the work program is presented in Table 1.

Task 1: Kick-Off Meeting and Project Initiation

Following the notice to proceed, LSA will initiate the following subtasks to start the EIR process as soon as possible.

1.1 Kick-Off Meeting and Site Visit

LSA will meet with City staff to discuss expectations regarding the tasks to be undertaken as part of the environmental documentation effort for the project. In this meeting, LSA will want to:

1. Confirm the proposed scope of work and expectations for use of any previously prepared technical materials or other background materials that may be available for the project site;
2. Discuss the significance criteria for each topic to be addressed in the Focused EIR.
3. Discuss the City's desired approach to involving the various City departments, and the County, during preparation of the Focused EIR and review of the administrative and screencheck drafts; and
4. Discuss the City's desired schedule for the review process.

Following the Kick-Off Meeting, Amy Fischer and Kyle Simpson will visit and photograph the project area and its surroundings to familiarize ourselves with the area, document existing conditions and site features, and confirm information provided by the City. We will encourage attendance by City staff at our initial site visit to allow for sharing of observations.

1.2 Project Description

LSA will prepare a project description that details the purpose, phasing and physical elements of the proposed project. The project description will include a map showing the location and boundaries of the project area and a general description of the project's technical and environmental characteristics. LSA will work closely with the City to ensure that the project description provides a level of detail appropriate for the Focused EIR. As a part of the project description, LSA will work with the City to prepare a list of project objectives consistent with the City's goals for the project.

Table 1: Work Program Outline

Task 1. Kick-Off Meeting and Project Initiation
1.1 Kick-Off Meeting and Site Visit
1.2 Project Description
Task 2. Technical Analysis
2.1 Air Quality and Greenhouse Gas Analysis
2.2 Biological Resources
2.3 Cultural Resources
2.4 Noise Analysis
2.5 Water Distribution System Infrastructure and Well Site Analysis
Task 3. Initial Study and Notice of Preparation
3.1 Administrative Draft Initial Study and Notice of Preparation
3.2 Screencheck Draft Initial Study and Notice of Preparation
3.3 Public Review Initial Study and Notice of Preparation
3.4 Public Scoping Meeting
Task 4. Work Program Refinement
Task 5. Draft Focused EIR
5.1 Administrative Draft Focused EIR
5.2 Screencheck Draft Focused EIR
5.3 Public Review Draft Focused EIR
5.4 Public Hearing
Task 6. Final EIR
6.1 Administrative Draft Final EIR
6.2 Screencheck Draft Final EIR
6.3 Public Review Final EIR
Task 7. Mitigation Monitoring and Reporting Program
7.1 Draft Mitigation Monitoring and Reporting Program
7.2 Final Mitigation Monitoring and Reporting Program
Task 8. EIR Certification Hearings
8.1 Planning Commission Hearing
8.2 City Council Hearing
Task 9. Project Management and Meetings

The project description will also include a statement briefly describing the intended uses of the Focused EIR, including a list of agencies expected to use the Focused EIR, a list of permits and other approvals required to implement the project and a list of related environmental review and consultation steps required by federal, State or local laws, regulations and policies. LSA will submit a draft of the project description to the City for review and acceptance before the LSA team begins conducting any technical analyses.

Deliverable

- Draft Project Description

Task 2: Technical Analysis

Based on our initial review of the project technical studies to address potential environmental impacts regarding air quality and greenhouse gas emissions, biological resources, cultural resources, noise, and the water distribution system will be needed to adequately address these disciplines under CEQA. Following approval of the Draft Project Description, the technical analyses described below, will be conducted.

2.1 Air Quality and Greenhouse Gases

LSA will prepare an air quality and greenhouse gas analysis technical memorandum for the proposed project. The analysis will include the following components: 1) assessment of baseline air quality in the area based on data from the San Joaquin Valley Air Pollution Control District (SJVAPCD) and California Air Resources Board (ARB); 2) quantitative assessment of project construction and operational impacts for the using the California Emissions Estimator Model version 2016.3.2 (CalEEMod); and 3) if warranted, recommendation of mitigation measures consistent with the SJVAPCD guidelines. If available, the City should provide all applicable project construction data to LSA, including all anticipated off-road vehicle use and daily haul trip rates during construction. Model output will be attached as a technical appendix. The findings of this analysis will be presented in a technical memorandum address to the City.

2.2 Biological Resources

LSA will evaluate the biological resources present in the project area and determine project effects to those resources. A key objective of the evaluation will be to identify any special-status plant or wildlife species, or sensitive habitats that may be affected by the project. Based on a preliminary review of aerial photographs, the project area does not appear to support natural communities, and, therefore, it provides limited habitat for special status plants or wildlife. Sensitive biological resources potentially occurring in the project area include San Joaquin kit fox, Swainson's hawk, and nesting birds.

- **Research/Coordination.** LSA will request a list of special-status species from the U.S. Fish and Wildlife Service (USFWS) and will query the California Natural Diversity Data Base (CNDDDB) and California Native Plant Society (CNPS) Online Database.

- **General Field Survey.** LSA will conduct a general field survey to assess habitat conditions and evaluate potential impacts to sensitive biological resources from the proposed project. During this survey, LSA will assess the potential for trees located on the project site to provide suitable nesting habitat.
- **Documentation.** The results of the field survey will be documented in the biological resources technical memorandum. The section will include a discussion of plant communities present on the project site, as well as a discussion of common plant and animal species occurring (or expected to occur) on the project site based on the communities present. Any sensitive biological resources identified will be mapped on an aerial photo exhibit. The technical memorandum will document biological resources in the project area and evaluate potential project effects to biological resources, if any.

2.3 Cultural Resources

LSA's cultural resources analysis will include research, field survey, and reporting tasks, as described below. This scope of work and budget are based on negative findings for cultural resources. However, we have included 8 hours for initial coordination, additional research, or other tasks if the findings from the records search or field survey indicate cultural resources are present on the project site. LSA will contact the City if we determine additional effort (e.g., significance evaluation and/or impact assessment) is required to address cultural resources on the project site. In addition, LSA is available to assist the City with Tribal Cultural Resources Consultation pursuant to Assembly Bill (AB) 52 as an optional task described below under Optional Tasks.

- **Research.** An LSA cultural resources analyst will conduct research using the following sources:
 - California Historical Resources Information System (CHRIS): A CHRIS records search will be conducted at the Central California Information Center (CCaIC) to identify any previous cultural resources or cultural resources studies in the project site and search radius.
 - Native American Heritage Commission (NAHC): LSA will contact the NAHC to conduct a Sacred Lands File search, which will identify the presence or absence of locations that may have traditional or cultural value to tribal organizations, regardless of archaeological value, in or adjacent to the project site.
 - Local Reference: LSA will contact the Merced County Historical Society to inquire about the history of the project site.
 - LSA will review background information to determine the pre-contact and historic context and assess the archaeological site sensitivity of the project site.
- **Field Survey.** An LSA cultural resources analyst will conduct a field survey of the project site. The field survey will be documented in field notes and photographs. We will need access to the project site in order to complete this task.

- **Reporting.** LSA will prepare a Cultural Resources report that describes the methods, results, and recommendations of the study, especially with regard to additional work that may be necessary to address the requirements of CEQA. If any cultural resources are identified within the project site, the resource(s) must be recorded before the report can be finalized.¹ The draft report will be submitted to the City in PDF format for review. LSA will respond to one round comments from the City on the draft report, and following resolution of any comments, a final report will be resubmitted in PDF format and will also be submitted to the CCalC in fulfillment of a requirement to access their archives.

2.4 Noise

LSA will prepare a noise analysis technical memorandum for the proposed project. The noise analysis will include the following components: 1) a description of existing noise conditions in and around the project site; 2) a quantitative assessment of noise impacts on sensitive receptors related to project construction and operation associated with the project; and if required, 3) the preparation of mitigation measures consistent with best practices. The findings of this analysis will be incorporated into a technical memorandum addressed to the City.

2.5 Water Distribution System Infrastructure and Well Site Analysis

MKN will identify the infrastructure improvements needed to connect the future Well 22 to the City's water distribution system and the wellsite improvements. MKN will also review the 2016 Water Master Plan and the Initial Study/Mitigated Negative Declaration for the Water Master Plan (2017 WMP IS/MND). MKN will review the impacts from future wells identified as part of the 2017 WMP IS/MND and determine if the new Well 22 location will result in additional environmental impacts. Since 22 wells were previously addressed in the 2017 WMP IS/MND, no new Hydrology and Water Quality impacts are anticipated. MKN will reference the impacts and findings identified in the 2017 WMP IS/MND. The findings from this task will be summarized in a technical memorandum.

Deliverables

- Air Quality and Greenhouse Gases Technical Memorandum
- Biological Resources Technical Memorandum
- Draft Cultural Resources Report
- Final Cultural Resources Report
- Water Distribution System Infrastructure and Well Site Analysis Technical Memorandum

Task 3: Initial Study and Notice of Preparation

LSA will prepare an Initial Study for release with the Notice of Preparation (NOP) to provide substantial evidence to support the preparation of the Focused EIR. The analysis included in the

¹ In addition to being a required component of the report, LSA's access agreement with the California Historical Resources Information System requires that we provide records for any cultural resources we identify.

Initial Study will be referenced and based on thorough analysis in order to address environmental topics and exclude further analysis in the Focused EIR. The following environmental topics will be evaluated in the Initial Study, consistent with the requirements of CEQA.

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

3.1 Administrative Draft Initial Study and Notice of Preparation

LSA will prepare an Administrative Draft Initial Study with figures and tables will be provided as appropriate to illustrate the project site, the proposed project and the study's findings.

The Administrative Draft Initial Study and NOP will be provided to the City for review and comment. LSA will provide one electronic version in MS Word and PDF formats for review by City staff.

3.2 Screencheck Draft Initial Study and Notice of Preparation

Based on a single set of consolidated and non-contradictory comments from City staff, LSA will amend the Administrative Draft Initial Study and NOP, and will prepare a Screencheck Draft Initial Study and NOP for review. We have allotted time for responding to changes; however, if this task exceeds the cost allotted in the budget due to changes in project description or requests for additional analysis that are not necessary to prepare a legally-adequate document, a budget adjustment may be required.

LSA will provide one electronic version in MS Word and PDF formats for review by City staff to verify that all requested changes have been made and all appendix materials, references, and final graphics are acceptable. LSA will also provide the City with an electronic compare version of the Screencheck Draft. This version will show text changes made to the Administrative Draft Initial Study and NOP in underline and strikeout for the City to more easily confirm that all comments and edits are fully incorporated into the Screencheck Draft Initial Study and NOP.

3.3 Public Review Initial Study and Notice of Preparation

LSA will make any minor necessary revisions to the Screencheck Draft Initial Study and NOP, and will prepare the public review Initial Study and NOP. LSA will prepare 15 summary memorandums and 15 CDs for submittal of the Initial Study and NOP to the State Clearinghouse, and will provide one

copy in PDF format for posting on the City's website. The City will be responsible for local distribution and noticing.

3.4 Public Scoping Meeting

Amy Fischer and Kyle Simpson will participate in a public EIR scoping meeting. LSA will develop materials for these meetings, including hand-outs which may include an overview of the objectives of CEQA, the EIR process and schedule, and the topics to be addressed in the Focused EIR. If request, LSA would make a short presentation at the scoping meeting that outlines the project's environmental review requirements and process.

Deliverables

- Administrative Draft Initial Study and NOP
- Screencheck Draft Initial Study and NOP
- Public Review Initial Study and NOP
 - For City distribution: 25 hard copies and 70 CD copies
 - For State Clearinghouse Distribution: 15 summary forms and 15 CD copies
- Notice of Completion for State Clearinghouse

Task 4: Work Program Refinement

In response to comments received on the NOP and the impact analyses completed under Task 2 and Task 3, it may be necessary to refine the work program. Upon receipt and review of all of the comments on the NOP and taking into consideration comments heard at the scoping meeting, LSA will work with City staff to refine the scope of work and budget, if necessary, to address any environmental issues that are not yet adequately addressed in this work program.

Task 5: Draft Focused EIR

It is anticipated that the Focused EIR will cover the topic of Water Quality and Hydrology. The following describes the process for preparing the Draft Focused EIR.

5.1 Administrative Draft Focused EIR

The setting section of the Hydrology and Water Quality section included in the Focused EIR will describe the current conditions of the project site. The impact analysis will evaluate the potential environmental effects resulting from implementation of the proposed project. Where relevant, impacts will be separately identified in terms of whether they would occur during the construction or operation periods. A set of feasible mitigation measures (as well as the residual impacts or effects of each measure) will be identified.

The Hydrology and Water Quality section will also include a discussion of cumulative impacts. The analysis of cumulative effects will address the potential impacts associated with the project in conjunction with other projects that are under-construction, approved, or reasonably foreseeable. The preferred methodology for conducting the cumulative impacts analysis will be developed and

agreed upon during the early stages of the EIR preparation. Prior to submittal, MKN will review the Administrative Draft Focused EIR (ADEIR) for general conformance the technical memorandum prepared under Task 2.5.

The Focused EIR is expected to include the following components:

- Introduction
- Executive Summary
- Project Description
- Setting, Impacts, and Mitigation Measures
- Alternatives to the Proposed Project
- CEQA-Required Assessment Conclusions
- List of Persons and Organizations Contacted
- Bibliography
- Technical Appendices

One digital version (in both Word and PDF formats) of the Administrative Draft Focused EIR will be submitted to the City for review and comment. LSA can meet with staff, either in person or via teleconference, to discuss comments on the Administrative Draft Focused EIR.

5.2 Screencheck Draft Focused EIR

Based on a single set of consolidated and non-contradictory comments from City staff, LSA will amend the Administrative Draft Focused EIR and prepare a Screencheck Draft for final review. One digital version (Word and PDF formats) of the Screencheck Draft will be provided. A PDF compare version that shows changes between the two drafts in underline and strikeout will also be provided for review by the City to verify that all requested changes have been made and all appendix materials, references, and final graphics are acceptable.

We have allotted time for responding to changes; however, if this task exceeds the cost allotted in the budget due to changes in project description or requests for additional analysis that are not necessary to prepare a legally adequate document, the additional cost would be billed on a time and materials basis (or use of contingency funds would be requested).

5.3 Public Review Draft Focused EIR

LSA will amend the Screencheck Draft Focused EIR in response to a single set of consolidated and non-contradictory comments from City staff. LSA will produce a total of 25 copies of the Public Review Draft Focused EIR. Digital versions will also be prepared in PDF formats and will be distributed to the City for website posting and via up to 70 thumb drives or compact discs (CDs). All appendix materials will be provided on a CD to be attached to the inside back cover of the bound Draft Focused EIR copies.

Prior to publication of the Public Review Draft Focused EIR, LSA will prepare the Notice of Availability (NOA) and Notice of Completion (NOC). LSA will be responsible for distribution of the Draft Focused EIR to the State Clearinghouse. The City will be responsible for local distribution and noticing.

5.4 Draft Focused EIR Public Hearing

Amy Fischer and Kyle Simpson will be available to attend a public hearing regarding the Draft Focused EIR. The intent of the meeting will be to collect public comments on the analysis included in the Draft Focused EIR.

Deliverables

- Administrative Draft Focused EIR
- Screencheck Draft Focused EIR
- Public Review Draft Focused EIR
 - For City distribution: 25 hard copies and 70 CD copies
 - For State Clearinghouse Distribution: 15 summary forms and 15 CD copies
- Notice of Availability/Notice of Completion

Task 6: Final EIR

6.1 Administrative Draft Final EIR

The LSA team will formulate responses to written comments on the Draft Focused EIR, including review period comments received from the public and agencies. The Administrative Draft Final EIR will include: 1) a list of persons, organizations, and public agencies commenting on the Draft Focused EIR; 2) copies of written comments received; 3) responses to environmental comments raised in the review process; and 4) any necessary text, table or figure changes to the Draft Focused EIR. LSA will discuss the best approach to the responses document with the City following the close of the comment period.

Our budget estimate shows the level of professional effort assumed for this task (see Task 6.1 in the Cost Estimate, included separately). Should an unexpectedly large volume of comments be submitted (e.g., an organized letter-writing campaign by project opponents or a substantial package of comments by a law firm representing labor union interests), an adjustment in the budget (and/or use of contingency funds) to cover work beyond the assumed level would be needed. LSA will submit one digital version (in MS Word and PDF formats) of the Administrative Draft Final EIR for City review.

6.2 Screencheck Draft Final EIR

After review by City staff and transmittal of suggested revisions, LSA will amend the Administrative Draft Final EIR and prepare a Screencheck version for final review by City staff. One digital version (Word and PDF formats) of the Screencheck Draft will be provided. A PDF compare version that shows changes between the two drafts in underline and strikeout will also be provided for review by the City to verify that all requested changes have been made.

6.3 Public Review Final EIR

After review by City staff and transmittal of suggested revisions, LSA will amend the Screencheck Draft Final EIR and prepare a Public Review version. LSA will produce up to fifteen (15) bound copies

and thirty (30) CDs. Digital versions will also be prepared in PDF formats and will be distributed to the City for website posting. The Final EIR will be distributed to the public and commenting agencies a minimum of 10 days prior to the final public hearing on the Final EIR.

Deliverables

- Administrative Draft Final EIR, MS Word and PDF
- Screencheck Draft Final EIR, MS Word and PDF
- Public Review Final EIR, 15 printed copies and 30 CDs
- Notice of Determination, MS Word and PDF

Task 7: Mitigation Monitoring and Reporting Program

LSA will prepare a Mitigation Monitoring and Reporting Program (MMRP). The MMRP will identify the responsibility for implementing and monitoring each mitigation measure, along with monitoring triggers and reporting frequency, subject to approval by City staff. Monitoring will be dovetailed with existing processes of project development and review.

Deliverables

- Draft MMRP
- Final MMRP

Task 8: EIR Certification Hearings

Amy and/or Kyle will attend up to two public hearings for certification of the Focused EIR, including hearings before the Planning Commission and City Council. Additional meetings can be added to the scope as additional services.

Upon project approval and certification of the Final EIR, LSA will prepare a Notice of Determination (NOD) for filing and distribution by the City.

Deliverable

- Notice of Determination, MS Word and PDF

Task 9: Project Management and Meetings

Amy and Kyle will undertake a variety of general project management tasks throughout the process of preparing the Initial Study and Focused EIR and presenting it to decision-makers.

Amy will provide input on scope, budget, and scheduling of the project, and quality assurance for all work undertaken. She will review all subconsultant submittals and in-house prepared text, tables, and graphics before these materials are presented to the City as administrative review documents. She will be available for consultation on CEQA procedural matters as well as application of the CEQA Guidelines to this project.

Kyle will be in charge of day-to-day activities associated with the project. Project management tasks include regular client contact; oversight of subconsultants and team members; schedule coordination; contract negotiation and management; and development of products. As Project Manager, Kyle will attend all meetings and maintain a project schedule. Kyle will monitor the project budget in light of progress in the project schedule and will communicate any potential deviations with the City in a timely manner. He will also provide direction to all team members that will ensure an internally-consistent, coherent document.

Amy and Kyle, as well as other LSA staff, as appropriate, will be available to meet with the project team to gather information, review progress, discuss project alternatives, review preliminary findings, discuss staff comments, and offer input into any discussions on project modifications. The proposed cost estimate includes attendance by both Amy and Kyle at the project Kick-Off Meeting (Task 1.1), the EIR scoping meeting (Task 3.4), the Public Hearing for the Draft Focused EIR (Task 5.4), and the EIR Certification Hearings (Task 8). In addition, we have budgeted (under this task) for attendance at up to four teleconference team meetings, the agendas and issues to be determined. MKN will be available to attend up to two meetings with LSA and the City, as requested by LSA.

ASSUMPTIONS

This scope of work assumes that:

- Billing rates for this project are guaranteed through May 31, 2020. Billing rates would be subject to an increase after June 1, 2020, and in each subsequent year thereafter. A budget increase would be necessary to cover costs incurred after June 1, 2020.
- City staff will act as a clearinghouse for comments on all administrative draft documents, and will provide LSA with a single, internally reconciled set of comments on each administrative draft.
- Revisions to screencheck drafts will focus on typographical errors, formatting and other minor edits. Such revisions will not include content changes or requests for additional technical analysis.
- Our cost estimate includes the meetings described in the scope of work. Additional meetings would be billed on a time-and-materials basis, and are included as an optional task described below.
- City staff will be responsible for all local noticing and distribution of the documents to interested parties and public agencies as required under CEQA.
- City staff will be responsible for meeting logistics, including schedule coordination, document production, printing notices, mailing costs, room reservations, room set-up and take-down, and refreshments.

- All products will be submitted to City staff as described in the scope of work. If the reproduction allowance shown in the fee proposal is exceeded, additional printing costs will be billed at LSA's actual cost.
- LSA's invoices will show hours billed by staff person, title or position, and date. Billing rates will match rates shown in Cost Estimate.
- LSA's invoices will include backup for all direct costs (mileage, postage, reproduction etc.).

OPTIONAL TASKS

Tribal Cultural Resources Consultation

LSA can assist the City in complying with the provisions of AB 52, a law recently passed by the California Legislature regarding tribal consultation. AB 52 provides for consultation with Native American tribal organizations during the CEQA process. Prior to release of a Negative Declaration, Mitigated Negative Declaration or Environmental Impact Report for a project, a lead agency must provide the opportunity to consult to tribes that are traditionally and culturally affiliated with the geographic area in which a project is located, and must conduct such consultation, if requested by the tribes in writing within 30 days of notification of the proposed project. As part of this optional task, LSA would conduct the following tasks:

1. Provide a draft of the City's AB 52 notification letter to tribes for use on official letterhead; and
2. Attend up to two eight-hour AB 52 consultation meetings with the City and tribal representatives to provide technical input.

Deliverable

- Draft AB 52 Letter

Estimated cost: \$2,500

Additional Public Hearing Attendance

LSA would attend additional hearings for the project on a time and materials basis.

Estimated cost: \$1,800 for Amy and Kyle to attend, and \$900 for Kyle to attend.

TIME OF PERFORMANCE

The preliminary schedule for preparation and completion of the environmental review process is shown in Table 2. LSA will finalize the schedule, including deliverable dates with the City once we are authorized to proceed and once preliminary development plans and all requested background materials listed in this scope of work are provided. Please note that LSA can work with the City to adapt the schedule to fit ongoing priorities and scheduling, as well as discuss ways to streamline the overall schedule.

Table 2: Preliminary Schedule

Milestone	Responsible Party	Duration ¹	Cumulative Week
Notice to Proceed	City	–	–
Project Start-Up Meeting	City/LSA	1 week	1
Draft Project Description ¹	LSA	2 weeks	3
Review of Draft Project Description	City	2 weeks	5
Prepare Administrative Draft Initial Study, NOP and Technical Analyses	LSA	4 weeks	9
Review Administrative Draft Initial Study, NOP and Technical Analyses	City	2 weeks	11
Prepare Screencheck Draft Initial Study and NOP	LSA	2 weeks	13
Review Screencheck Draft Initial Study and NOP	City	1 week	14
Prepare Public Review Initial Study and NOP	LSA	1 week	15
<i>30-Day Public Scoping Period</i>	–	<i>4 weeks</i>	<i>19</i>
Prepare Administrative Draft Focused Draft Focused EIR	LSA	4 weeks	23
Review Administrative Draft Focused Draft Focused EIR	City	2 weeks	25
Prepare Screencheck Draft Focused Draft Focused EIR	LSA	2 weeks	27
Review Screencheck Draft Focused Draft Focused EIR	City	1 weeks	28
Prepare Public Review Focused Draft Focused EIR	LSA	1 weeks	29
<i>45-Day Public Comment Period</i>	–	<i>6 weeks</i>	<i>35</i>
Prepare Administrative Draft Final EIR	LSA	3 weeks	38
Review Administrative Draft Final EIR	City	2 weeks	40
Prepare Screencheck Draft Final EIR and Draft MMRP	LSA	1 week	41
Review Screencheck Draft Final EIR and Draft MMRP	City	1 week	42
Prepare Public Review Final EIR and Final MMRP	LSA	1 week	43
EIR Certification Hearing(s)	City	>10 days	45

¹ Assumes that all requested project information and materials received within 1 day of start-up meeting

ME01501.P City of Merced Environmental Services for Municipal Well Site #22		LSA										Total LSA Hours	Total LSA Fees
5/3/2019		Principal (Fischer)	Project Manager (Simpson)	Planner (Carlucci)	Principal, Biological Resources (Gray)	Senior Biologist (Trudblood)	Technical Staff and GIS (Van Zand)	Principal, Cultural Resources (Pulchert)	Senior Cultural Resources Manager (Vahlre)	Cultural Resources Manager (Vahlre)	Document Management, Graphics, and Production		
Employee Name	Weighted Average	\$220.40	\$168	\$110	\$215	\$142	\$105	\$199	\$142	\$105	\$126		
100%													
Task 1 Kick-off Meeting and Project Initiation													
1.1	Kick-off Meeting and Site Visit	4.00	4.00									8.00	\$1,553.26
1.2	Project Description	2.00	8.00	6.00								4.00	\$2,949.10
	Task 1 Kick-off Meeting and Project Initiation Subtotal	6.00	12.00	6.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4.00	\$4,502.36
Task 2 Technical Analysis													
2.1	Air Quality and Greenhouse Gas Emissions Analysis	4.00		16.00								20.00	\$2,644.74
2.2	Biological Resources Analysis				1.50	4.00	\$7.50					63.00	\$6,924.08
2.3	Cultural Resources Analysis						0.50	4.00	2.00	42.00		\$2.50	\$5,541.36
2.4	Noise Analysis	4.00		16.00								20.00	\$2,644.74
2.5	Water Distribution System Infrastructure and Well Site Analysis	1.00	1.00									2.00	\$388.32
	Task 2 Technical Analysis Subtotal	9.00	1.00	32.00	1.50	4.00	58.00	4.00	2.00	42.00	0.00	157.50	\$18,143.23
Task 3 Initial Study and Notice of Preparation													
3.1	Administrative Draft Initial Study and Notice of Preparation	3.00	17.00	37.00							4.00	61.00	\$8,096.89
3.2	Screencheck Draft Initial Study and Notice of Preparation	2.00	6.00	8.00								18.00	\$2,581.77
3.3	Public Review Initial Study and Notice of Preparation	1.00	4.00	10.00								21.00	\$2,749.69
3.4	Public Scoping Meeting		8.00									8.00	\$1,343.30
	Task 3 Initial Study and Notice of Preparation Subtotal	6.00	35.00	55.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	12.00	\$14,771.71
Task 4 Work Program Refinement													
4.1	Work Program Refinement		4.00									4.00	\$671.68
	Task 4 Work Program Refinement Subtotal	0.00	4.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4.00	\$671.68
Task 5 Focused Draft EIR													
5.1	Administrative Draft Focused EIR	8.00	15.00	44.00							4.00	71.00	\$9,634.41
5.2	Screencheck Draft Focused EIR	2.00	8.00	4.00							2.00	16.00	\$2,476.82
5.3	Public Review Draft Focused EIR	2.00	6.00	4.00								6.00	\$2,644.74
5.4	Draft Focused EIR Public Hearing	4.00	5.00									10.00	\$1,899.10
	Task 5 Focused Draft EIR Subtotal	16.00	35.00	52.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	12.00	\$16,645.07
Task 6 Final EIR													
6.1	Administrative Draft Final EIR	2.00	4.00	12.00								2.00	\$2,656.72
6.2	Screencheck Draft Final EIR	2.00	4.00	14.00								2.00	\$2,907.12
6.3	Public Review Final EIR	1.00	2.00	6.00								6.00	\$1,973.06
	Task 6 Final EIR Subtotal	5.00	10.00	32.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10.00	\$7,566.90
Task 7 Mitigation Monitoring and Reporting Program													
7.1	Draft Mitigation Monitoring and Reporting Program	2.00	6.00								1.00	9.00	\$1,574.25
7.2	Final Mitigation Monitoring and Reporting Program	1.00	2.00									1.00	\$682.18
	Task 7 Mitigation Monitoring and Reporting Program Subtotal	3.00	8.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2.00	\$2,256.43
Task 8 EIR Certification Hearings													
8.1	Planning Commission Hearing		6.00									6.00	\$1,007.52
8.2	City Council Hearing	4.00	6.00									10.00	\$1,899.10
	Task 8 EIR Certification Hearings Subtotal	4.00	12.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	16.00	\$2,896.62
Task 9 Project Management and Meetings													
9.1	Project Management and Meetings	8.00	30.00									38.00	\$6,800.76
	Task 9 Project Management and Meetings Subtotal	8.00	30.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	38.00	\$6,800.76
	Subtotal Labor	57.00	147.00	177.00	1.50	4.00	58.00	4.00	2.00	42.00	40.00	536.50	\$74,234.75
Sub Consultants													
(1)	MKN & Associates												\$14,990.80
	Subtotal Sub Consultants												\$14,990.80
Reimbursable Expenses													
	Lodging/Meals												\$0.00
	Records Search												\$363.00
	Reproduction												\$4,152.50
	Mileage												\$660.97
	Subtotal Reimbursable Expenses												\$5,176.47
	Total												\$94,422.02

Merced County Code							
Up	Previous	Next	Main		Search	Print	No Frames
Title 9 GENERAL HEALTH AND SAFETY							
Chapter 9.27 GROUNDWATER MINING AND EXPORT							

9.27.060 Implementation.

A. The Merced County Department of Public Health, Division of Environmental Health shall be responsible for implementation of this chapter and regulations adopted by the board of supervisors.

B. The Merced County Department of Public Health, Division of Environmental Health shall establish a permitting system to authorize wells, groundwater exports, and other groundwater management practices (practices listed in Section 9.27.050(B) of this chapter) that are consistent with other procedures and practices already utilized by Merced County, but otherwise prohibited by this chapter. The Merced County Department of Public Health, Division of Environmental Health may issue a permit for wells delivering more than two acre-feet of groundwater per year for domestic use to the extent that such practice is consistent with the statements of county policy set forth in Section 9.27.020. The Merced County Department of Public Health, Division of Environmental Health may also issue a permit for groundwater exports or groundwater management practices to the extent that such practice is consistent with the statements of county policy set forth in Section 9.27.020. Merced County Department of Public Health, Division of Environmental Health shall coordinate with the Merced County Community and Economic Development Department for review and determination including any discretionary approval that is necessary under the California Environmental Quality Act or any other applicable statute. The issuance of the determination, discretionary approval, or other findings under the California Environmental Quality Act including public hearing or processing shall be administered through the Merced County Community and Economic Development Department.

C. The Merced County Department of Public Health, Division of Environmental Health shall have authority to investigate any activity subject to this chapter. Compliance with this chapter will be determined based on the submission of a technical report to the Merced County Department of Public Health, Division of Environmental Health. The Merced County Department of Public Health, Division of Environmental Health is authorized to enforce the prohibition of any activity that is determined to be in violation of this chapter or regulations adopted by the board of supervisors.

D. The applicant, permit holder or other interested person or entity may appeal an administrative determination made by the department under this chapter which: (1) finds that an application is complete or incomplete; (2) establishes or modifies operating conditions; (3) grants or denies a permit; or (4) suspends or revokes a permit. Administrative appeals under this section must be made in writing, must clearly set forth the reasons why the appeal ought to be granted, and must be received by the clerk of the board within fifteen (15) calendar days of the postmark date on the envelope that transmits the administrative determination. Any appeal that is not timely filed, or that is not accompanied by the required fee, will be deemed ineffective and the administrative determination that is being appealed will become final. The board of supervisors shall fix a reasonable time for the hearing of an appeal of an administrative determination at a regularly scheduled meeting of the board of supervisors. The board of supervisors shall provide written notice of the appeal hearing to the appellant and all interested parties and to all landowners within one-quarter mile of the parcel where operations will occur. The board of supervisors shall hear the appeal and issue a decision within thirty (30) days after the hearing. The board of supervisors may take any appropriate action upon the original administrative action that was appealed, including granting or denying the appeal in whole or in part, or imposing, deleting or modifying operating conditions of the permit. The decision of the board of supervisors shall be final forthwith. (Ord. 1930 § 1, 2015).



ADMINISTRATIVE REPORT

Agenda Item H.6.

Meeting Date: 7/15/2019

Report Prepared by: Deneen Proctor, Director of Support Services

SUBJECT: Approval of Citywide Classification Study and Adoption of Resolution to Amend the Classification and Pay Plans by Establishing New Job Classifications and Salary Ranges, Amending Job Classification Titles and Deleting Job Classifications and Amending the Budget Allocation by Adding a Community Liaison Position to the Police Department Budget and Deleting a Recreation Supervisor Position from the Police Department Budget

REPORT IN BRIEF

Considers approving the Citywide Classification Study and adopting a Resolution updating the City's Classification and Pay Plans and Amending the Budget Allocation by Adding a Community Liaison Position to the Police Department Budget and Deleting a Recreation Supervisor from the Police Department Budget.

RECOMMENDATION

City Council - Adopt a motion:

- A. Adopting **Resolution 2019-41**, a Resolution of the City Council of the City of Merced, California, updating the classification plan by amending current classification titles, establishing new classification titles, and deleting obsolete classification titles; and,
- B. Approving the addition of a Community Liaison position in the General Fund 001 Police Administration; and,
- C. Approving the deletion of a Recreation Supervisor position in the General Fund 001 Police Administration.

ALTERNATIVES

- 1. Approve as recommended; or
- 2. Deny; or
- 3. Refer to staff for further study; or
- 4. Take no action.

AUTHORITY

Article VII, Section 710, of the Merced City Charter, and as recommended by the Merced City Personnel Board.

CITY COUNCIL PRIORITIES

As provided in the 2018-2019 Adopted Budget.

DISCUSSION

In 1998, the City of Merced conducted a formal Classification Study. Over the past two decades, several changes including technological advances, regulatory updates and departmental restructuring have altered the needs of job classifications needed by the City. As a result of these changes, the City Council retained the services Ralph Anderson and Associates to work with the Support Services Department to conduct a citywide classification study that evaluated the job titles and requirements of current positions and to make recommendations to bring them in line with industry standards.

After the selection of Ralph Anderson and Associates as the vendor, Doug Johnson traveled to the Civic Center and held a citywide informational meeting with employees. Mr. Johnson provided employees information on what to expect from the beginning to the end of the process. All employees were then asked to complete a job analysis survey that outlined the essential duties of their respective positions. In the survey, employees were given an opportunity to request an interview with a representative from Ralph Anderson and Associates. The vendor then interviewed the employees that requested interviews and also interviewed all employees that were classified in single incumbent positions.

The vendor then drafted job descriptions for more than 160 positions. The draft job descriptions were reviewed by the employees, the department and then sent back to the vendor for preparation of the final draft. During the entire process staff worked closely with employee bargaining groups keeping them apprised of the progress and also made themselves available to answer questions about the draft documents as they were being finalized.

The citywide classification study is now complete and all of the job descriptions have been reviewed and approved by the Personnel Board.

At this time the Personnel Board is recommending the City Council approve the Resolution amending, adding and deleting the Job titles and Classification Plan as reflected in the attached resolution and as outlined below.

Amend Job Classifications

The following list provides a summary of the job descriptions that have title changes. The salary range for these positions will remain the same in the new class titles as the current class titles.

Current Class Title

Accountant III
Assistant to the City Manager
Building Maintenance Worker I/II
Clerk Typist I/II
Collection System Worker II/III
Director of Support Services
Development Associate

New Class Title

Senior Accountant
Senior Management Analyst
Facilities Maintenance Worker I/II
Office Assistant I/II
Sewers/Storm Drain Worker II/III
Director of Human Resources
Economic Development Associate

Environmental Control Officer I/II	Environmental Compliance Officer I/II
Executive Secretary	Executive Assistant
Housing Finance Specialist	Housing Specialist
Fire Marshal	Deputy Fire Marshal
Insurance Coordinator	Risk Analyst
Instrumentation and Electrical Technician	Instrumentation, Control/Electrical Technician
Land Application Program Lead	Lead Land Application
Lead Main Sewers/Storm Drains	Lead Sewers/Storm Drains
Legal Secretary	Legal Administrative Assistant
Maintenance Worker I/II (Assigned to WWTP)	Land Application Worker I/II
Park Worker III	Lead Park Worker
Payroll Coordinator	Payroll Supervisor
Personnel Coordinator	Human Resources Analyst
Personnel Technician I/II/III	Human Resources Technician I/II/III
Police Clerk I/II	Police Records Clerk I/II
Pump Operator	Water Systems Operator
PWS-Lab/Environmental Control	PWS - Environmental Compliance
	PWS - Laboratory
PWS-Main Sewers/Storm Drains	PWS-Sewers/Storm Drains
PW Sewer Coll Sys/Storm Drains Worker I	Sewers/Storm Drain Worker I/II/III
Refuse Equipment Operator Trainee	Refuse Equipment Operator I
Refuse Equipment Operator	Refuse Equipment Operator II
Safety Specialist	Safety Coordinator
Secretary III	Administrative Assistant III
Secretary I/II	Administrative Assistant I/II
Street Sweeper Operator Trainee	Street Sweeper Operator I
Street Sweeper Operator	Street Sweeper Operator II
Supervising Police Dispatcher	Communications Systems Supervisor
Water Conservation Specialist	Water Conservation Coordinator
Water Systems Technician I/II/III	Water Distribution Operator I/II/III

The citywide job classification found the lead dispatcher job class performs work that is comparable to job classification in the supervisory unit. The City is currently working through the process outlined in the Employee-Employer Organization Relations Resolution to assign the appropriate unit to the new job classification of Dispatcher Shift Supervisor. Once this process is completed, staff will return to the Council to have the title change approved.

Amend Pay Plan

In a few instances, the recommendation is the creation of new job classifications along with the establishment of the salary range for these new positions.

Community Liaison
 Paralegal Office Administrator
 Refuse Equipment Operator III

The citywide job classification study found the Recreation Supervisor position assigned to the Police division performs work that is comparable to the duties of the Community Liaison job classification. Therefore, the Police Division is requesting to delete the Recreation Supervisor position assigned to Police and add the Community Liaison position. The Community Liaison job classification will be placed in the Merced Police Officer Association unit.

Obsolete Classifications

Departments have also determined that the following job classifications are no longer needed and have proven over time to be obsolete:

Airport Maintenance Worker
Animal Control Officer I
Animal Control Officer II
Apprentice Electrician
Assistant Architect
Assistant Chief Building Official
Associate Architect
Capital Improvement Coordinator
Code Enforcement Officer
Computer Operator
Development Coordinator
Development Manager
Fire Fighter II
Fire Inspector Trainee
Fleet Maintenance Lead Worker
GIS Data Systems Technician
Housing Program Manager
Housing Rehab Specialist I
Housing Rehab Specialist II
Insurance Clerk I
Insurance Clerk II
Interim Fire Deputy Chief
Land Engineer
Lead Tree Trimmer
Lead Worker Refuse
Lead Worker Utilities
Legislative Director
Maintenance Worker III
NPDES Coordinator
Parts Clerk
Payroll Accountant
Personnel Analyst
Personnel Manager
Pesticide Applicator I
Pesticide Applicator II
Police Commander

Police Community Aide
Police Corporal
Police Secretary III
Principal Architect
Principal Civil Engineer
Public Information Officer
Public Utilities Inspector
Recreation Manager
Redevelopment Technician
Senior Architect
Senior Lab Technician
Supervising Fire Inspector
Supervising Plans Examiner
Urban Forestry Supervisor
Water Engineer
Water System Irrigation Maintenance Worker
Water Treatment Plant Operator I/II
Welder I/II
WWTP Operator Trainee
WWTP Superintendent

IMPACT ON CITY RESOURCES

No additional appropriation is needed.

ATTACHMENTS

1. Resolution
2. Classification Report City of Merced May 2019

RESOLUTION NO. 2019-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF MERCED, CALIFORNIA, UPDATING
THE CLASSIFICATION PLAN BY AMENDING
CURRENT CLASSIFICATION TITLES,
ESTABLISHING NEW CLASSIFICATION TITLES,
AND DELETING OBSOLETE CLASSIFICATION
TITLES**

THE CITY COUNCIL OF THE CITY OF MERCED DOES HEREBY
RESOLVE, DETERMINE, FIND, AND ORDER AS FOLLOWS:

SECTION 1. The Classification Plan of the City of Merced is hereby
updated by amending the current job classifications as set forth in Exhibit "A".

SECTION 2. The Classification Plan of the City of Merced is hereby
updated by adding the job classifications as set forth in Exhibit "B".

SECTION 3. The Classification Plan of the City of Merced is hereby
updated by deleting the obsolete job classifications as set forth in Exhibit "C".

PASSED AND ADOPTED by the City Council of the City of Merced at a
regular meeting held on the ____ day of _____ 2019, by the following
vote:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

APPROVED:

Mayor

ATTEST:
STEVE CARRIGAN, CITY CLERK

BY: _____
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:

Phaedra A. Noh 6-21-19
City Attorney Date

Amend Job Classifications

The following is a list of the job descriptions that have title changes. The salary range for these positions will remain the same in the new class titles as the current class titles.

Current Class Title

Accountant III
Assistant to the City Manager
Building Maintenance Worker I/II
Clerk Typist I/II
Collection System Worker II/III
Director of Support Services
Development Associate
Environmental Control Officer I/II
Executive Secretary
Housing Finance Specialist
Fire Marshal
Insurance Coordinator
Instrumentation and Electrical Technician

Land Application Program Lead
Lead Main Sewers/Storm Drains
Legal Secretary
Maintenance Worker I/II (Assigned to WWTP)
Park Worker III
Payroll Coordinator
Personnel Coordinator
Personnel Technician I/II/III
Police Clerk I/II
Pump Operator
PWS-Lab/Environmental Control

PWS-Main Sewers/Storm Drains
PW Sewer Coll Sys/Storm Drains Worker I
Refuse Equipment Operator Trainee
Refuse Equipment Operator
Safety Specialist
Secretary III
Secretary I/II
Street Sweeper Operator Trainee
Street Sweeper Operator
Supervising Police Dispatcher
Water Conservation Specialist
Water Systems Technician I/II/III

New Class Title

Senior Accountant
Senior Management Analyst
Facilities Maintenance Worker I/II
Office Assistant I/II
Sewers/Storm Drain Worker II/III
Director of Human Resources
Economic Development Associate
Environmental Compliance Officer I/II
Executive Assistant
Housing Specialist
Deputy Fire Marshal
Risk Analyst
Instrumentation, Control/Electrical Technician
Lead Land Application
Lead Sewers/Storm Drains
Legal Administrative Assistant
Land Application Worker I/II
Lead Park Worker
Payroll Supervisor
Human Resources Analyst
Human Resources Technician I/II/III
Police Records Clerk I/II
Water Systems Operator
PWS – Environmental Compliance
PWS - Laboratory
PWS-Sewers/Storm Drains
Sewers/Storm Drain Worker I/II/III
Refuse Equipment Operator I
Refuse Equipment Operator II
Safety Coordinator
Administrative Assistant III
Administrative Assistant I/II
Street Sweeper Operator I
Street Sweeper Operator II
Communications Systems Supervisor
Water Conservation Coordinator
Water Distribution Operator I/II/III

Attachment B - Wage Range Summary

Job Title	Unit	Grade	Step Range	1	2	3	4	5
Community Liaison	PD	593	Monthly	\$ 4,240	\$ 4,452	\$ 4,675	\$ 4,909	\$ 5,154
			Biweekly	\$ 1,957	\$ 2,055	\$ 2,158	\$ 2,266	\$ 2,379
			Annually	\$ 50,886	\$ 53,430	\$ 56,101	\$ 58,906	\$ 61,851
			Hourly	\$ 24.4642	\$ 25.6873	\$ 26.9716	\$ 28.3203	\$ 29.7361
Paralegal Office Administrator	MS	703	Monthly	\$ 5,749	\$ 6,036	\$ 6,338	\$ 6,655	\$ 6,988
			Biweekly	\$ 2,653	\$ 2,786	\$ 2,925	\$ 3,072	\$ 3,225
			Annually	\$ 68,988	\$ 72,437	\$ 76,059	\$ 79,862	\$ 83,855
			Hourly	\$ 33.1673	\$ 34.8257	\$ 36.5670	\$ 38.3953	\$ 40.3151
Refuse Equipment Operator III	BC	158	Monthly	\$ 4,166	\$ 4,374	\$ 4,593	\$ 4,823	\$ 5,064
			Biweekly	\$ 1,923	\$ 2,019	\$ 2,120	\$ 2,226	\$ 2,337
			Annually	\$ 49,992	\$ 52,492	\$ 55,116	\$ 57,872	\$ 60,766
			Hourly	\$ 24.0346	\$ 25.2363	\$ 26.4982	\$ 27.8231	\$ 29.2142

EXHIBIT B

Obsolete Classifications

The City has determined that it is necessary to delete the following job classifications as they have proven over time to be obsolete:

Airport Maintenance Worker
Animal Control Officer I
Animal Control Officer II
Apprentice Electrician
Assistant Architect
Assistant Chief Building Official
Associate Architect
Capital Improvement Coordinator
Code Enforcement Officer
Computer Operator
Development Coordinator
Development Manager
Fire Fighter II
Fire Inspector Trainee
Fleet Maintenance Lead Worker
GIS Data Systems Technician
Housing Program Manager
Housing Rehab Specialist I
Housing Rehab Specialist II
Insurance Clerk I
Insurance Clerk II
Interim Fire Deputy Chief
Land Engineer
Lead Tree Trimmer
Lead Worker Refuse
Lead Worker Utilities
Legislative Director
Maintenance Worker III
NPDES Coordinator
Parts Clerk
Payroll Accountant
Personnel Analyst
Personnel Manager
Pesticide Applicator I
Pesticide Applicator II
Police Commander
Police Community Aide
Police Corporal
Police Secretary III
Principal Architect
Principal Civil Engineer

EXHIBIT C

Public Information Officer
Public Utilities Inspector
Recreation Manager
Redevelopment Technician
Senior Architect
Senior Lab Technician
Supervising Fire Inspector
Supervising Plans Examiner
Urban Forestry Supervisor
Water Engineer
Water System Irrigation Maintenance Worker
Water Treatment Plant Operator I/II
Welder I/II
WWTP Operator Trainee
WWTP Superintendent

EXHIBIT C

CLASSIFICATION REPORT

CITY OF MERCED

MAY 2019

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INTRODUCTION

Ralph Andersen & Associates was retained by the City of Merced to conduct a comprehensive classification study encompassing approximately 488 positions currently allocated to approximately 182 classes. This report presents the classification concepts and recommendations supporting changes to the classification plan.

Concepts Defined

The first section of this report presents the Classification Concepts. Classification Concepts provide information regarding the structure and guidelines used in defining the classification plan. This section is followed by the recommended classification plan, which includes an explanation of the major changes. The recommendations provided in this document were reviewed with the City's management staff. Following this review, each employee received a copy of their respective draft class specification in order to provide an opportunity to review and comment on the preliminary recommendation for their particular position.

The concepts and recommendations presented in this document are based on *Ralph Andersen & Associates'* analysis of the job duties and related knowledge, skills, and abilities of all City positions included in the scope of this study. Supporting this analysis, job analysis questionnaires, class specifications, current organizational charts, and other background materials were reviewed.

Study Process

A classification plan provides the basis for all classification and compensation study end products. The processes employed to develop the classification plan included the following tasks:

- Review and finalization of the study process with appropriate City staff
- Briefings with employees to explain the purpose of the study, the process, and the job analysis questionnaires as well as to respond to questions from employees
- Completion of job analysis questionnaires by employees
- Review and analysis of completed questionnaires by the consultants
- Conduct of employee interviews with a majority of employees to clarify duties/responsibilities assumed and qualifications required by each position.

In developing the proposed classification plan for the City of Merced, sound principles of job analysis were used. The method of job analysis applied was the "whole job" analysis method, which identifies classes that reflect distinct differences in levels and types of work performed as determined through the application of relevant job analysis criteria. The criteria applied included expertise, decision-making, management control, contacts, and working conditions.

Report Organization and Format

To facilitate review, the remainder of this report is organized into three sections and two appendices containing the following information:

- **Section I – Concepts of the Proposed Classification Plan** – A summary and description of the classification concepts used to define the proposed classification plan.
- **Section II – Recommended Classification Plan** – A written narrative of the significant changes and/or issues that were identified. The changes/issues presented in the narrative follow the same order as the attached Master List of Class Titles (Attachment A), which is organized generally by Organization-Wide classes and then by job family within each department.
- **Section III – Guidelines for Preparing Class Specifications** – An overview of the Americans with Disabilities Act (ADA) requirements and a proposed format for the revised classification specifications that supports implementation of the ADA.
- **Attachment A – Master List of Class Titles** – This table provides a master listing of current titles and the corresponding recommended title. The classes are organized generally by Organization-Wide classes and then by job family within each department.
- **Attachment B – Employee Allocation List** – This spreadsheet identifies all employees within each department who are included in this study and the recommendation for each respective position.

The guidelines contained in this report will provide City staff with the tools necessary to maintain the system over time as existing jobs change and/or new jobs are created.

SECTION I

CONCEPTS OF THE PROPOSED CLASSIFICATION PLAN

The classification plan is the foundation of any personnel management system. As such, it must be designed to provide a defensible and understandable rationale for assigning individuals to classifications based on the responsibilities they assume, and ultimately serve as the foundation for establishing defensible salary recommendations.

Developing an Effective Classification Plan

A classification plan provides materials that can be used for recruitment, compensation, legal documentation, and a variety of other purposes. Specifically, an effective classification plan provides the following:

- A current and accurate description of the various jobs that are performed
- A basis for establishing a compensation program that is related to the nature of the work performed
- A means of ensuring internal equity among the overall work force.

A classification plan can also be helpful by:

- Providing an improved basis for recruiting, testing, and selecting employees
- Establishing a framework for evaluating employee performance during probationary and continuing periods of employment
- Identifying areas that are basic to employee training programs.

The job classes emerging from this analysis represent a carefully designed classification structure based upon a clear definition and consistent use of class levels, class series, and titling conventions. For example, the titling of classes utilizes terms having consistent meaning across all departments in the City, and the number of levels within a class series reflects clear differences in levels of work performed by, or expected of, positions.

It is important to note that the classification plan is a “snapshot” of the organization, in classification terms, at the time of the analysis. It is not static and, as the organization grows or changes, must be amended and updated. The concepts, terms, and definitions included in this report form the basis for that ongoing management and growth.

This chapter elaborates upon the classification concepts used to construct the classification plan developed for the City of Merced. The concepts addressed include the following:

- Classification Levels
- Titling Guidelines – Clerical, Maintenance, and Technical
- Titling Guidelines – Professional
- Titling Guidelines – Supervisory and Management Class Levels
- Additional Titling Guidelines

- Flexible Staffing
- Definitions of Levels of Supervision.

The specific classes recommended to be included within the revised classification plan are presented in Section II.

Classification Levels

A job family is a group of two or more classes similar with respect to the duties performed but different in terms of the complexity and level of responsibilities assumed. Within a job family there may exist a classification at every level, or only at selected levels. It is important to note that while two given job families may both contain, for example, a journey level classification, the two journey level classes will likely be substantially different in the nature of the work performed and may be evaluated quite differently for compensation purposes. Distinctions between class levels within all job families may be expressed in terms of the complexity of assigned duties and the amount of responsibility assumed at each level. For supervisory and management classes, the levels are reflective of the City's organizational structure and thus provide a picture of how the classes fit into the City's organization. The following definitions generally describe the responsibilities assumed at each classification level identified.

- **Entry** level classes reflect positions responsible for performing more routine and repetitive duties assigned within a series. In some instances, this class level is designed to provide an on-the-job training opportunity under immediate supervision to an employee who has limited directly related work experience. Generally, positions at this level are not performing the full range of work assigned to the journey level class.
- **Journey** level classes are designed to recognize those positions that require the incumbent to perform a broad range of tasks relevant to the assumed duties, usually under general supervision. A journey level position is fully trained in the scope of duties associated with this class and performs the full range of assigned duties.
- **Advanced Journey** level classes possess a specialized, technical, or functional expertise. Incumbents are typically assigned significant responsibilities above the journey level, possess specialized knowledge, abilities, skills, and experience, and often exercise independent judgment in the performance of job duties. Advanced journey level classes may lead, oversee, and train subordinate positions. While advanced journey level positions may plan, assign, and evaluate the work of subordinates, they are not responsible for a major department work unit or section.
- The **Supervisor** class level recognizes supervisory positions that plan, assign, and evaluate the work of subordinates and are responsible for a major departmental work unit or section; positions at this level typically participate in the more complex functions of the work unit in addition to having direct supervisory responsibility.
- The **Division Head** class level recognizes positions assigned full management, administrative, and supervisory responsibility for a major division within a department.
- The **Department Head** class level recognizes positions with full management responsibility for a major City department and report directly to the City Manager or Assistant City Manager.

The following sections clarify more fully the scope of duties assumed, nature of supervision received, and titling guidelines used to reflect each class level within the clerical/maintenance/technical, professional, and supervisory/management job families.

Titling Guidelines: Clerical, Maintenance, and Technical

For the clerical, maintenance, and technical job families, distinctions between levels in a class series are expressed in terms of the scope of duties assumed and the nature of supervision received and exercised. The following subsections identify the scope of duties assumed and the nature of supervision received and exercised, which typically reflect each level within the clerical, maintenance, and technical job families, as well as the associated titling guideline.

- **Entry Level – “I” Classes** – Entry level classes recognize positions in which assignments are generally limited in scope, contain fairly routine tasks, and are performed within a procedural framework established by higher level employees. This class may provide on-the-job training to employees with limited related work experience. Typically, the employee works under immediate supervision, and as experience is acquired, the employee performs with less immediate supervision. Although many entry level classes are intended to provide training to incumbents for advancement to the journey level, some entry level positions are assigned primarily routine work and are not considered to be training positions. The “I” designation is commonly used in the title of classes at this level.
- **Journey Level – “II” Classes** – Journey level classes recognize positions that require the incumbent to work under general supervision and within a framework of established procedures. Incumbents are expected to perform a full range of duties with only occasional instruction or assistance. Positions at this level frequently work outside the immediate proximity of a supervisor. Work normally is reviewed only on completion and for overall results. Journey level positions may be expected to provide limited training and assistance to less experienced staff, as appropriate. The “II” designation is commonly used for this class level. For classes where there is no designation after the title, it is assumed that employees in those classes perform their duties at the journey level.
- **Advanced Journey Level – “III” or “Lead” Classes** – Advanced journey level classes recognize positions that assume responsibility for more specialized and complex functions assigned to the class series. This class level is often used to recognize positions that (1) require a technical or functional expertise beyond the journey level and/or (2) are considered strong lead positions that are expected to regularly provide functional and technical supervision over subordinate positions. Advanced journey level classes with lead supervisory responsibility perform the full scope of work assigned to classes within the series and, in addition, have daily responsibility for leading, overseeing, and training subordinate staff. The “III” or “Lead” is used to denote this level.

Titling Guidelines: Professional

Professional classes perform duties of a complex analytical nature requiring a skill and ability level typically achieved through a formal, higher education or training program. Professional job families may include classes at the entry through advanced journey levels.

The following subsections define the scope of duties typically assumed and the nature of supervision received and exercised at the entry, journey, and advanced journey level within a professional class series. As compared to other class levels within the City, distinctions between professional class levels differ primarily in terms of the level of training and education required, decision-making, and supervision received and exercised.

- **Entry Level – “I” or “Assistant” Classes** – Entry level professional classes are designed to provide on-the-job training opportunities. Incumbents typically have

appropriate specialized training with little or no job-related experience. Positions at this level perform a significant portion of the work assigned to the journey level, but without the independence or full responsibility expected of positions at the journey level. Assignments are generally limited in scope and set within procedural frameworks established by higher-level positions. As experience accrues, however, the incumbent is expected to perform with increasing independence. The “I” or “Assistant” designations are commonly used to denote this class level.

- **Journey Level – “II” or “Associate” Classes** – Journey level professional classes include positions that perform a full range of complex analytical tasks and work under direction within a framework of established procedures. At this level, incumbents work with only occasional instruction or assistance and, therefore, require some level of prior related work experience. Employees in a professional journey level classification may be expected to exercise supervision over subordinate clerical or technical staff; however, supervisory responsibilities are ancillary to the main intent and focus of the position. Positions at this level may assume responsibility for a specific program area. Work is normally reviewed only upon completion and for overall results. The “II” or “Associate” designations are commonly used to reflect classes at this level. Where there is no designation after the title, it is assumed that the incumbent performs the assigned duties at the journey level.
- **Advanced Journey Level – “Senior” Classes** – Advanced journey level professional classes possess a significant level of specialized, technical, or functional expertise beyond that expected at the journey level. Positions at this level require highly specialized knowledge, abilities, skills, and experience, and often exercise independent judgment in the performance of their duties. Advanced journey level classes may exercise supervision over professional subordinate positions, or assume responsibility for coordinating a defined program. The “Senior” designations are commonly used to designate classes at this level.
- **Technical Supervisory Level – “Principal” Classes** – The technical supervisory level recognizes positions that assume responsibility for coordinating and supervising the work of lower level staff within a section. Incumbents at this level possess a highly specialized expertise to perform functions that are considered significantly more complex than those performed by positions at the “Senior” level. Positions at this level regularly direct the work of lower professional level staff based on the goals and objectives established by high level supervisory and/or management staff. The term “Principal” is typically used for this class level.

Titling Guidelines: Supervisory and Management Class Levels

Distinctions between class levels and the scope of duties assumed at each level within the supervisory and management group are clarified below and on the following pages. As indicated, distinctions between class levels take into account organizational impact, decision-making responsibilities, and management control.

- **Supervisor** – The term “Supervisor” is used in the job title of those classes where the focus of the class is on the direct supervision and coordination of a significant work unit within a division or department and also includes hands-on work activities. Classes at this level:
 - Supervise, assign, and review the work of subordinates in assigned section or work unit

- Work under direction or general direction, assuming responsibility for a program or function(s) and carrying out necessary activities without direction except as new or unusual circumstances require
- Monitor and review work in progress, and provide technical assistance and guidance
- Ensure that appropriate policies and procedures are followed by subordinates
- Assume responsibility for recommending a variety of personnel actions in such areas as performance evaluation, training, selection, and disciplinary measures
- Perform the most difficult and complex duties of the work unit
- Recommend procedures consistent with departmental directives, policies, and regulations, which are developed by higher-level management staff
- Participate in monitoring, coordinating, and developing the budget for assigned area.

In comparing this class level to that of “Manager” the scope of supervision is more limited to the supervision of a work unit within the division and there is greater emphasis on participating in the work of the unit.

- **Manager** – When the term “Manager” appears in a job title, the predominant focus of the class is on the management of a division and also involves hands-on work activities. Specifically, classes at this level:
 - Manage, plan, supervise, and coordinate the operations and activities of a City division
 - Work under general direction, exercising discretion in applying general goals and policy statements and in resolving organizational and service delivery problems
 - Organize and direct the work of subordinate staff
 - Assume significant responsibility for a variety of personnel activities in such areas as selection, training, and disciplinary actions
 - Participate in the preparation and administration of the assigned budget(s).

In comparing this class level to that of “Deputy Director,” the scope of managerial responsibility is more limited and may involve a higher degree of hands-on work activities.

- **Deputy Director** – When the term “Deputy Director” appears in a job title, it defines the class as second in charge with ongoing responsibility for working collaboratively with the Department Director to plan, direct, and manage an assigned department and assume full responsibility in the absence of the Director. Specifically, working in collaboration with or at the direction of the Director, classes at this level:
 - Plan, direct, manage, and oversee the activities and operations of an assigned department or functional area, as determined by the Director
 - Work under general direction or administrative direction, fulfilling assigned responsibilities within broad guidelines
 - Participate in or assume responsibility for program development and management including collaborating with the Director in the development and implementation of goals, objectives, policies, and priorities for all department activities
 - Organize and direct the work of subordinate staff

- Assume significant responsibility for a variety of personnel activities in such areas as selection, training, and disciplinary actions
- Assume significant responsibility for the preparation and administration of the assigned budget(s).

In comparing this class level to that of “Director,” the Deputy Director serves as second in charge, assuming full responsibility for departmental operations in the absence of the Director or for functional areas as assigned by the Director.

- **Department Director** – When the term “Director” is used in a job title, it designates classes that assume full management responsibility for a City department and that:
 - Plan, direct, manage, and oversee the activities and operations of an assigned department
 - Work under general administrative direction, fulfilling assigned responsibilities within broad guidelines
 - Assume management responsibility for all divisions and programs within the Department
 - Assume responsibility for program development and management including responsibility for the development and implementation of goals, objectives, policies, and priorities for all department activities
 - Assume responsibility for a variety of personnel activities including training, selection, and disciplinary actions for a department
 - Assume responsibility for the preparation and administration of a department budget.

The above serves to establish consistency in titling; however in some cases industry standard titles are used to describe classes with management and/or supervisory responsibilities. Examples of classifications within the City that have distinct industry standard titles include the City Manager, Assistant City Manager, Assistant City Clerk, City Attorney, City Surveyor, Finance Officer, Deputy Finance Officer, Chief Building Official, Assistant Chief Building Official, Fire Chief, Police Chief, and Police Captain.

Additional Titling Guidelines

In addition to the above titling guidelines, particular terms are sometimes used to more clearly delineate level of responsibility and associated knowledge within a job family. The following provides a general explanation of these terms:

- **Analyst** – The term “Analyst” is used in the job titles of those classes where the focus of the class is on the collection, examination, and interpretation of data for purposes of improving or amending policies, procedures, goals, objectives, or guidelines. Analyst classes typically deal with issues that are more conceptual in nature and require the ability to analyze problems, identify solutions, project consequences of proposed actions, and implement recommendations in support of goals. This is considered a professional level and may be expected to exercise direct or technical and functional supervision over lower level classifications.
- **Coordinator** – The term “Coordinator” is used in job titles where the focus of the class is on the coordination and administration of an assigned program, service or activities. These duties include assuming responsibility for implementing program goals and objectives, participating in the preparation and administration of the budget, monitoring program performance, promoting and marketing specific program activities and eliciting

community support for the assigned program. Positions at this level may have limited supervisory responsibility or be expected to exercise technical and functional supervision over professional, technical, clerical, contract or volunteer staff.

- **Specialist** – The term “Specialist” is used in job titles where the focus of the job requires significant knowledge, skills, and abilities of a highly specialized nature. Duties require the application of significant expertise in a specific area or professional field in combination with technical and analytical skills. Positions at this level may be expected to exercise direct or technical and functional supervision over lower level classifications.
- **Technician** – The term “Technician” is used in a job title to describe para-professional classifications where the focus of the class is on the performance of various duties that are considered complex and at a technical level. Positions at this level perform work of a specialized nature, requiring experience, knowledge, skills, and abilities of greater breadth and depth than other classes in the series, but not at the specialist or professional level. Examples of such technical work include certain accounting and engineering positions.
- **Assistant/Clerk/Worker/Operator** – The term “Assistant” or “Clerk” is used throughout the City to describe positions that perform administrative, technical, and/or clerical duties in support of the assigned function or program. The term “Worker” or “Operator” is used to describe maintenance classifications.

While certain exceptions to the titling guidelines may be necessary, it is important that titles be clearly defined and applied as consistently as possible across an organization in order to maintain the integrity of a class plan. To the extent practical, the above guidelines and definitions of terms can assist the City in maintaining the class plan over time.

Flexible Staffing

Associated with series classifications is the practice of flexible staffing. The City may choose to flexibly staff positions within any class series containing an entry and a journey level position. Flexible staffing gives the City the flexibility to hire employees at the entry level or the journey level depending upon applicant qualifications and City staffing needs. Positions budgeted at the journey level and encompassing the full range of journey level work would normally be filled at the entry level when they become vacant, unless the needs of the City require that the position be filled at the journey level. In a flexibly staffed series, the distinction between the entry and the journey level may be based upon experience, expertise and license requirements rather than on the types of duties assigned. After gaining the experience and knowledge to perform the full range of journey level tasks, the employee could reasonably expect to progress to the journey level based upon the judgment of appropriate management staff.

It is emphasized that flexible staffing does not preclude the City from identifying certain positions in the class that contain primarily routine and repetitive tasks and assigning those positions to the entry level permanently. In these cases, the employee at the entry level could not reasonably expect to advance to the journey level while in the assigned position.

The classes presented in Exhibit A reflect areas identified where the flexible staffing concept can legitimately be applied.

EXHIBIT A
CLASSES RECOMMENDED FOR FLEXIBLE STAFFING

Account Clerk I/II
Accountant I/II
Administrative Assistant I/II
Assistant Planner/Planner
Building Inspector I/II
Custodian I/II
Development Services Technician I/II
Dispatcher I/II
Engineering Technician I/II
Environmental Compliance Officer I/II
Facilities Maintenance Worker I/II
Fire Inspector I/II
Housing Program Specialist I/II
Human Resources Technician I/II
Laboratory Technician I/II
Land Application Worker I/II
Maintenance Worker I/II
Mechanic I/II
Office Assistant I/II
Park Worker I/II
Parking Enforcement Officer I/II
Payroll Technician I/II
Planning Technician I/II
Plans Examiner I/II
Police Records Clerk I/II
Records Clerk I/II
Refuse Equipment Operator I/II
Sewers/Storm Drain Worker I/II/III
Software Analyst I/II/III
Systems Engineer I/II
Systems Technician I/II/III
Water Distribution Operator I/II/III
WWTP Mechanic I/II
WWTP Operator I/II/III

It should be noted that the determination of how this concept should be used is a policy decision within the organization. Should the City choose not to flexibly staff a given class series, appointment to the journey level would be done through the traditional competitive selection methods or other practices the City has used in the past.

Definitions of Levels of Supervision

In order to ensure consistency in revising and updating the City's class specifications, the following terms have been used to denote the different levels of supervision received and exercised by positions within the various classes of work.

- **Direct Supervision** – The basic characteristics of direct supervision are the assignment of tasks; the observance, review, and evaluation of performance; the administration of line personnel functions (e.g., selection, discipline, grievances, privileges); and responsibility **for the worker**, as well as the work. The levels of direct supervision are described below in terms of supervision received by employees.
 - **Supervision** – The employee works in the presence of his/her supervisor or in a situation of close control and easy reference. Work assignments are given with explicit instructions or are so routine that few, if any, deviations from established practice are made without checking with the supervisor. This type of supervision is generally exercised over entry level clerical, maintenance, and technical employees.
 - **General Supervision** – Assigned duties require the exercise of judgment or choice among possible actions, sometimes without clear precedents and often with concern for the consequences of the action. The employee may or may not work in proximity to his/her supervisor. This type of supervision typically pertains to the journey level clerical/maintenance/technical classes of a series or the entry level in professional classes.
 - **Direction** – The employee receives general instructions regarding the scope of and approach to projects or assignments, but procedures and techniques are left to the discretion of the employee. This category is usually applied to advanced journey level clerical/maintenance/technical, journey level professional and field supervisory classes in which employees are expected to operate with a reasonable degree of independence.
 - **General Direction** – The employee is responsible for a program or function(s) and is expected to carry out necessary activities without direction except as new or unusual circumstances require. This category is usually reserved for supervisors.
 - **Administrative Direction** – The employee has broad management responsibility for a large program or set of related functions. Discretion is required in applying general goal and policy statements and in resolving complex organizational and service delivery problems. This category is usually reserved for division heads.
 - **General Administrative Direction** – The employee works within a broad framework, with sole authority and responsibility for a given functional area of service. General administrative direction is usually received in terms of goals; review is received in terms of results. This category is usually reserved for department heads.
 - **Policy Direction** – Employees at this level work under broad policy direction and guidelines provided by a governing body.
- **Indirect Supervision** – Indirect supervision is characterized by some form of authority over the technical aspects of work being performed or completion of a project, but the “supervisor” is not responsible for the worker. The following describes the types of indirect supervision that are exercised.
 - **Technical Supervision** – The “supervisor” is responsible for prescribing procedures, methods, materials, and formats as a technical expert within a specialty. He/she may produce or approve specifications, guidelines, lists, or

directions. He/she may give direction to employees (usually on “how” and “why”), but does not assign tasks or observe and evaluate performance. “Technical supervision” relates to the exercise of an occupational specialty or function, rather than the oversight of specific employees.

- Functional Supervision – The “supervisor” is responsible for a project or recurrent activities that involve tasks performed by persons over whom he/she has authority to give direction in regard to that project, even though they are under the direct supervision of someone else. The overall responsibility of an individual assuming functional and technical supervisory responsibilities is to ensure that work projects are completed. “Functional supervision” may include “technical supervision,” but also involves scheduling and assigning tasks, monitoring work progress, and reviewing work products. Functional supervision relates to a function or set of activities.

These supervisory guidelines have been used in making determinations between the various classification levels proposed for the classification plan. They will also be consistently incorporated in the class specifications. The guidelines will be beneficial to City staff in the ongoing maintenance and implementation of the classification system.

SECTION II

RECOMMENDED CLASSIFICATION PLAN

Based upon the classification concepts presented in Section I, a revised classification plan has been prepared for the City. To introduce and summarize the new plan, this chapter discusses major issues and/or changes proposed in the new system, including the deletion, merging, and creation of new classes.

Master List of Class Titles

The classification plan developed for the City consists of a total of 196 classes. These classes have been identified based on an analysis of the specific duties, responsibilities, knowledge, skills, and abilities assumed by current employees.

Appendix A summarizes the classes proposed to be incorporated into the City's classification plan by providing a master listing of current titles and the corresponding recommended title. The classes are organized generally by Organization-Wide classes and then by job family within each department. In some instances, a class may be located in more than one department. If not used City-wide, the job family and identified classes are presented in the department where the majority of classes are found. All classes have been developed consistently with the defined classification levels discussed in Section I, and are based on an analysis of the specific duties, responsibilities, knowledge, skills, and abilities assumed by current employees. The proposed employee allocation list, which is presented in Appendix B, clearly identifies the linkage of the current plan to the proposed classification system by summarizing recommendations for each individual employee.

Comparison of the Proposed Classification Plan With the Current Plan

The proposed classification plan reflects revisions and a general update of the current plan. Among other things, the proposed plan:

- Defines classification levels and titling guidelines that are consistently applied throughout the organization
- Documents the key factors that distinguish one classification level from another.

In achieving the above, new class series have been created, existing classes have been deleted or merged into the revised class series, and certain titling changes have been made to facilitate overall consistency. This section highlights some of the more significant changes proposed, as well as any identified issues, by Department. In job classifications that hold multiple incumbents, individual positions have been identified when the recommendation only impacts their specific position as opposed to affecting the entire classification.

CITY-WIDE CLASSES

ADMINISTRATIVE/TECHNICAL/CLERICAL

Secretary III **Secretary I/II**

Recommendation – Change title to Administrative Assistant I/II and Administrative Assistant III.

Discussion – This is a minor title change designed to recognize title trends in public agencies. The title of Secretary is becoming less common, and is increasingly being replaced by the Administrative Assistant title.

Clerk Typist I/II

Recommendation – Change title to Office Assistant I/II.

Discussion – This is a minor title change designed to recognize title trends in public agencies. The title of Clerk Typist is becoming less common, and is increasingly being replaced by the Office Assistant title.

CITY MANAGER’S OFFICE

ADMINISTRATION

Assistant to the City Manager

Recommendation – Change title to Senior Management Analyst.

Discussion – In order to not cause confusion between the Assistant City Manager and Assistant to the City Manager titles, it is recommended that the Assistant to the City Manager title be changed to Senior Management Analyst.

Executive Secretary

Recommendation – Change title to Executive Assistant.

Discussion – This is a minor title change designed to recognize title trends in public agencies. The title of secretary is becoming less common, and is increasingly being replaced by the Assistant title.

CITY CLERK

No changes recommended for this Division.

CITY ATTORNEY

No changes recommended for this Department.

DEVELOPMENT SERVICES

ADMINISTRATION

No changes recommended for this Division.

PLANNING & PERMITTING

Secretary III

Recommendation – Change title to Administrative Assistant III.

Discussion – See discussion under City-wide Classifications – Administrative/Technical/Clerical.

Secretary I

Recommendation – Change title to Administrative Assistant I.

Discussion – See discussion under City-wide Classifications – Administrative/Technical/Clerical.

INSPECTION SERVICES

No changes recommended for this Division.

ECONOMIC DEVELOPMENT

ADMINISTRATION

Development Associate

Recommendation – Change title to Economic Development Associate.

Discussion – This is a minor title change to more accurately reflect the area of responsibility, i.e. Economic Development.

AIRPORT

No changes recommended for this Division.

ENGINEERING

Secretary II

Recommendation – Change title to Administrative Assistant II.

Discussion – See discussion under City-wide Classifications – Administrative/Technical/Clerical.

FINANCE

ACCOUNTING

Accountant III

Recommendation – Change title to Senior Accountant.

Discussion – Consistent with the titling guidelines established and utilized for other professional level classes performing advanced journey level duties within the City, it is recommended that the title be changed to Senior Accountant.

PAYROLL

Payroll Coordinator

Recommendation – Change title to Payroll Supervisor.

Discussion – This position is responsible for supervising, directing, and coordinating the work of assigned finance and finance support staff responsible for a variety of payroll functions. This recommended title change more accurately reflects the duties and responsibilities performed, i.e. recognizes the significant amount of time that this class must dedicate to supervising reporting staff.

PURCHASING

No changes recommended for this Division.

FIRE

ADMINISTRATION

Secretary III

Recommendation – Change title to Administrative Assistant III.

Discussion – See discussion under City-wide Classifications – Administrative/Technical/Clerical.

Secretary I

Recommendation – Change title to Administrative Assistant I.

Discussion – See discussion under City-wide Classifications – Administrative/Technical/Clerical.

PROTECTION/MEASURE

No changes recommended for this Division.

HOUSING

Housing Finance Specialist

Recommendation – Change title to Housing Specialist.

Discussion – This recommended title change allows for greater flexibility within the class, and also provides a more industry-standard title.

INFORMATION SYSTEMS

No changes recommended for this Department.

POLICE

ADMINISTRATION

Recreation Supervisor (assigned to Police Department)

Recommendation – Create a new classification of Community Liaison and allocate the incumbent to this class.

Discussion – This position is responsible for performing education, communication, and engagement activities to the community regarding a variety of police functions and activities. The Recreation Supervisor position within the Police Department is not supervisory, and is not within the Recreation Department, so it does not make sense to utilize the Recreation Supervisor classification. Therefore, it is our recommendation that a new classification of Community Liaison be created, and that the incumbent be allocated to this classification. Further, this new class title is more reflective of the duties and responsibilities being performed.

CFD-PUBLIC SAFETY

No changes recommended for this Division.

INVESTIGATIONS

No changes recommended for this Division.

MEASURE “C” PUBLIC

No changes recommended for this Division.

OPERATIONS

No changes recommended for this Division.

ANIMAL CONTROL

No changes recommended for this Division.

COMMUNICATIONS

Supervising Police Dispatcher

Recommendation – Change title to Communications Systems Supervisor.

Discussion – This position is responsible for both supervising the activities of the City’s dispatch center as well as responsibility for performing a variety of information technology duties within the Police Department including overseeing all communications equipment and for providing oversight and administration of technology programs and computer applications. In order to more accurately reflect the duties and responsibilities performed by this position, it is recommended that the title be changed to Communications Systems Supervisor.

Lead Dispatcher

Recommendation – Change title to Dispatcher Shift Supervisor.

Discussion – It is our understanding that the three current Lead Dispatchers are serving as shift supervisors, providing training, recommending disciplinary procedures, and completing performance evaluations for their reporting staff. Therefore, it is our recommendation that the title be changed to Dispatcher Shift Supervisor to better represent the classification's role as a working supervisor.

PARKING ENFORCEMENT

No changes recommended for this Division.

RECORDS

Police Clerk I/II

Recommendation – Change title to Police Records Clerk I/II.

Discussion – This is a minor title change to better represent the classification's location within the Police Records Division, and to better match the title of the Police Records Supervisor classification.

PUBLIC WORKS

ADMINISTRATION

Secretary III

Recommendation – Change title to Administrative Assistant III.

Discussion – See discussion under City-wide Classifications – Administrative/Technical/Clerical.

Secretary II

Recommendation – Change title to Administrative Assistant II.

Discussion – See discussion under City-wide Classifications – Administrative/Technical/Clerical.

Secretary I

Recommendation – Change title to Administrative Assistant I.

Discussion – See discussion under City-wide Classifications – Administrative/Technical/Clerical.

Clerk Typist I

Recommendation – Change title to Office Assistant I.

Discussion – See discussion under City-wide Classifications – Administrative/Technical/Clerical.

ENVIRONMENTAL TREATMENT

PWS – Lab/Environmental Control

Recommendation – Change title to PWS – Environmental Compliance.

Discussion – There are currently two incumbents in the PWS – Lab/Environmental Control classification. This position is responsible for supervising the environmental compliance section, whereas the other position is responsible for supervising the Water Quality Laboratory. In order to more accurately reflect the duties and responsibilities performed by this position, it is recommended that the title be changed to PWS – Environmental Compliance.

Environmental Control Officer I/II

Recommendation – Change title to Environmental Compliance Officer I/II.

Discussion – This is a minor title change to more accurately reflect industry-standard titles.

Secretary I

Recommendation – Change title to Administrative Assistant I.

Discussion – See discussion under City-wide Classifications – Administrative/Technical/Clerical.

FLEET

No changes recommended for this Division.

FACILITY MAINTENANCE & OPERATIONS

Building Maintenance Worker I/II

Recommendation – Change title to Facilities Maintenance Worker I/II.

Discussion – This is a minor title change to more accurately reflect that these classifications are responsible for the maintenance of multiple facilities.

GREEN WASTE

No changes recommended for this Division.

PARKS

Park Worker III

Recommendation – Change title to Lead Park Worker.

Discussion –Consistent with the titling guidelines established and utilized for other maintenance classes performing lead level duties, it is recommended that the title be changed to Lead Park Worker.

REFUSE COLLECTION

Refuse Equipment Operator

Refuse Equipment Operator Trainee

Recommendation – Change title to Refuse Equipment Operator I/II.

Discussion – This is a minor title change in order to create consistency with other entry/journey level classifications within the City, i.e. Maintenance Worker I/II, Custodian I/II, etc.

STREET MAINTENANCE

No changes recommended for this Division.

STREET SWEEPING

No changes recommended for this Division.

STORM DRAINS

PW – Sewer Collection System Worker

PW Sewer Collection System Storm Drains Worker I

Recommendation – Consolidate into one classification and change title to Sewers/Storm Drain Worker I.

Discussion – See discussion below under Wastewater Systems Division.

WATER SYSTEMS

Water Conservation Specialist

Recommendation – Change title to Water Conservation Coordinator.

Discussion – This position is responsible for coordinating a variety of water conservation programs. In order to more accurately reflect the duties and responsibilities performed by this position, it is recommended that the title be changed to Water Conservation Coordinator.

Pump Operator

Recommendation – Change title to Water Systems Operator.

Discussion – These positions are responsible for performing a variety of duties for the City's water system including operating the SCADA system and computers to perform necessary operations of the water system as well as maintaining and repairing water pumps, mains, chlorinators, meters, chemical application devices, pumping, and other related systems. In order to more accurately reflect that these positions are responsible for the City's water system, it is recommended that the title be changed to Water Systems Operator.

Water Systems Technician I/II/III

Recommendation – Change title to Water Distribution Operator I/II/III.

Discussion – These positions are responsible for performing a variety of duties in the operation, maintenance, and repair of the City's water distribution system and require a Grade I, II, or III Water Distribution Operator certificate depending on the level. In order to more accurately reflect the duties and responsibilities performed, it is

recommended that the title for these positions be changed to Water Distribution Operator I/II/III. Further, this title change is consistent with industry standards and reflective of the certification required at each level, i.e. Water Distribution Operator certificate I, II, or III.

PWS – Lab/Environmental Control

Recommendation – Change title to PWS - Laboratory.

Discussion – There are currently two incumbents in the PWS – Lab/Environmental Control classification. This position is responsible for supervising the Water Quality Laboratory, whereas the other position is responsible for supervising the environmental compliance section. In order to more accurately reflect the duties and responsibilities performed by this position, it is recommended that the title be changed to PWS – Laboratory.

WWTP

Land Application Program Lead

Recommendation – Change title to Lead Land Application.

Discussion – This is considered a minor title change to remove Program from the title and move the Lead designation to the beginning. Moving Lead to the beginning creates consistency with other Lead classifications, i.e. Lead Park Worker, Lead Refuse Equipment Operator, etc.

Maintenance Worker II

Recommendation – Create a new classification of Land Application Worker I/II.

Discussion – This position is responsible for performing a variety of farming and maintenance duties at the land application site including field preparations, discing, ripping, seeding, land planning and land leveling, herbicide applications, and irrigation maintenance. The Maintenance Worker classification is responsible for the repair, maintenance, construction, and clean-up of City streets and sewers. In order to more accurately reflect the duties and responsibilities assigned to this position, it is recommended that a new classification of Land Application Worker I/II be created.

Further, using a narrow title to more accurately reflect the duties and responsibilities assigned, is a common practice for maintenance positions used throughout the City, i.e. Park Worker, Building Maintenance Worker, Refuse Equipment Operator, etc.

WASTEWATER SYSTEMS

PWS-Main Sewers/Storm Drains

Recommendation – Change title to PWS- Sewers/Storm Drains.

Discussion – This is considered a minor title change to remove Main from the title.

Lead Main Sewers/Storm Drains

Recommendation – Change title to Lead Sewers/Storm Drains.

Discussion – This is considered a minor title change to remove Main from the title.

Collection System Worker III
Collection System Worker II
PW – Sewer Collection System Worker
Sewer and Storm Drain Collection System Worker
PW Sewer Collection System and Storm Drain Worker I

Recommendation – Change title to Sewers/Storm Drains Worker I/II/III.

Discussion – These positions are responsible for performing a variety of maintenance, operations, and repair work on the City’s sewer collection systems, storm drains, and associated facilities. In order to more accurately reflect the responsibility for both sewers and storm drains maintenance, it is recommended that the titles be changed to Sewers/Storm Drains Worker I/II/III.

Further, currently the City has three different titles for the entry level classification (PW Sewer Collection System and Storm Drain Worker I, Sewer and Storm Drain Collection System Worker, and PW – Sewer Collection System Worker), one title of Collection System Worker II at the second level, and one title of Collection System Worker III, at the third level. The three classifications in the entry level will be consolidated into one class and retitled to the Sewers/Storm Drains Worker I, the Collection System Worker II will be retitled to Sewers/Storm Drains Worker II, and the Collection System Worker III will be retitled to Sewers/Storm Drains Worker III.

RECREATION & PARKS ADMINISTRATION

ADMINISTRATION

No changes recommended for this Division.

ZOO

No changes recommended for this Division.

SUPPORT SERVICES

ADMINISTRATION

Director of Support Services

Recommendation – Change title to Director of Human Resources.

Discussion – At one time the Director of Support Services was over both the City Clerk and Personnel Divisions. However, this position no longer oversees the City Clerk Division. In order to more accurately reflect this positions responsibility for overseeing the Personnel Department it is recommended that the title be changed to Director of Human Resources. Human Resources is a more commonly used title within the industry over Personnel.

PERSONNEL

Personnel Coordinator

Recommendation – Change title to Human Resources Analyst.

Discussion – This position is responsible for performing a variety of analytical work in the development and implementation of the City’s human resources program including duties related to classification and compensation and recruitment and selection. In order

to more accurately reflect the duties and responsibilities assigned, it is recommended that the title be changed to Human Resources Analyst. Further, the title of Human Resources Analyst is a common title within the industry for positions performing human resources analytical work.

Personnel Technician III
Personnel Technician I/II

Recommendation – Change title to Human Resources Technician I/II and III.

Discussion – This is considered a minor title change to keep current with industry standards.

INSURANCE ADMINISTRATION

Insurance Coordinator

Recommendation – Change title to Risk Analyst.

Discussion – This position is responsible for performing a variety of analytical work related to the City's risk management and employee benefit programs. In order to more accurately reflect the duties and responsibilities assigned, it is recommended that the title be changed to Risk Analyst. Further, the title of Risk Analyst is a common title within the industry for positions performing analytical work related to risk management and employee benefit functions.



Although not intended to identify all changes proposed between the current and proposed classification plan, the more significant modifications have been highlighted in this section.

Employee Allocations

Each position included within the scope of the study has been allocated to a classification contained in the new plan. The recommended allocations are included in Appendix B. The allocations are organized by department and division, and sorted from high to low by class level. Shown for each employee/position is the current class title as well as the recommended allocation or class title.

Summary

This chapter has provided a summary of the proposed classification plan for the City of Merced, including an explanation of proposed changes. A comprehensive Master List of Class Titles that lists all classes within the plan, organized by department and by job family, is provided in Appendix A.

SECTION III

GUIDELINES FOR PREPARING CLASS SPECIFICATIONS

This section of the report provides an overview of the Americans with Disabilities Act (ADA) as it relates to the classification plan. A suggested format for the revised specifications, consistent with the ADA, is also described herein.

Overview of ADA

The Americans with Disabilities Act became effective in January of 1992. This legislation is designed to protect disabled individuals from discrimination in selection, hiring, promotion, and all other rights and privileges of employment. The Act encompasses a requirement for reasonable accommodation on the part of the organization to employ a disabled individual. The documentation of essential duties and responsibilities is useful in determining the degree of accommodation that may be considered reasonable. Since City management staff is ultimately responsible for assigning appropriate duties and tasks to positions in the City, it is important that their suggestions and comments be incorporated into the determination of what duties are to be considered essential and related working conditions.

Essential Job Functions

For purposes of consistency, one or more of the following characteristics typically defines an essential job function:

- The position exists to perform the function/duty
- The number of employees who perform the function/duty is limited
- A position exists specifically to perform a specialized function/duty.

To further support the implementation of the ADA, the revised class specifications will include specific sections summarizing general environmental and physical working conditions required by each class.

Class Specification Format

The class specifications, which will be developed following the full review and confirmation of the classification concepts contained in this document, are intended to be descriptive and explanatory in defining classes. When reviewing the class specifications, they should be interpreted in their entirety and in relation to one another; particular phrases or examples should not be isolated and treated as the full definition of any class.

Each class specification may contain all or part of the following information:

- **Class Title** – The class title is a brief and descriptive designation of the type of work performed. The class title on payrolls, budgets, personnel reports and other official forms and reports dealing with positions or personnel will provide a common reference to the position. It should be understood that the class title is selected to serve this purpose and is not to be construed as limiting the use of working titles.
- **Summary Description** – This section is a general description of the work and includes a brief, concise definition of the primary responsibilities assigned to positions in the class. This section also describes the type or level of supervision received by positions in this classification as well as the type of supervision exercised, if any, over other employees.
- **Distinguishing Characteristics** – This section, when used, describes the level of work in relation to higher or lower classes in the same series. It is typically only included in specifications for entry, journey and advanced journey classes within a series.
- **Representative Duties** – This section is intended to enable the reader to obtain a more complete concept of the actual work performed by positions allocated to this class. The sections list typical essential duties that are common to positions of the class. These examples further show the range of duties performed by employees in the class. The lists are descriptive but are **not** intended to describe all the work performed by all positions allocated to the class. This section merely serves to illustrate the more typical portions of the work performed. The statement “Performs related duties as required” is included in all class specifications to provide legitimate flexibility to management in assigning duties. To ensure that employees understand that class specifications do not list all duties performed, a statement appears at the top of each class specification indicating the purpose and scope of the duties listed in the specification.
- **Qualifications** – This section is broken down into subsections containing the following:
 - **Knowledge of and Ability to** subsections list the knowledge, skills, and abilities that the duties of the class typically require and that applicants should possess for positions in the class. **It should be stressed that this section does not in any way refer to the qualifications of present employees.** Personal characteristics commonly required of all employees, such as honesty, industry, freedom from habitual use of intoxicating beverages to excess, or drug addiction, have not been listed since they are to be implied as required qualifications for all classes.
 - **Education and Experience Guidelines** subsections of the classification description are intended to describe the minimum qualifications that may be needed to adequately perform the job. The requirements are not intended to limit the City from hiring the most qualified individual. The purpose of stating minimum experience and training requirements is to comply with Equal Employment Opportunity Commission selection and hiring guidelines.
 - **License or Certificate** subsection is used for those classifications where legal or special provisions require possession of a specific license or certification issued by a Board of Licensure as a condition of employment. In some cases desired or preferred licenses/certifications are listed.
- **Physical Demands and Working Environment** – This section lists the typical environmental and physical working conditions required for the class jobs.

The format used for the new class specifications is presented in Exhibit B.

EXHIBIT B - CLASS SPECIFICATION FORMAT

CITY OF MERCED

CLASS TITLE

Class specifications are intended to present a descriptive list of the range of duties performed by employees in the class. Specifications are not intended to reflect all duties performed within the job.

SUMMARY DESCRIPTION

REPRESENTATIVE DUTIES

The following duties are typical for this classification. Incumbents may not perform all of the listed duties and/or may be required to perform additional or different duties from those set forth below to address business needs and changing business practices.

- 1.
2. Perform related duties as required.

QUALIFICATIONS

The following generally describes the knowledge and ability required to enter the job and/or be learned within a short period of time in order to successfully perform the assigned duties.

Knowledge of:

Ability to:

Communicate clearly and concisely, both orally and in writing.
Establish and maintain effective working relationships with those contacted in the course of work.

Education and Experience Guidelines - Any combination of education and experience that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

Education/Training:

Experience:

License or Certificate:

PHYSICAL DEMANDS AND WORKING ENVIRONMENT

The conditions herein are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform these essential job functions.

Environment:

Physical:

Vision:

Hearing:

Date:
Ralph Andersen & Associates

Implementation of ADA

The participation of management staff is critical in implementing ADA requirements. In reviewing the class specifications, management staff is requested to review the essential duties and related working conditions to ensure they have been identified accurately.

APPENDIX A
MASTER LIST OF CLASS TITLES

City of Merced
Master List of Class Titles
Organized by Job Classification within Each Organizational Unit
May 2019

Current Class Title	Recommended Class Title
City-Wide Classifications	
Professional	
Management Analyst	Management Analyst
Administrative Analyst	Administrative Analyst
Administrative Support	
Secretary III	Administrative Assistant III
Secretary I/II	Administrative Assistant I/II
Clerk Typist I/II	Office Assistant I/II
City Manager	
City Manager	City Manager
Assistant City Manager	Assistant City Manager
Assistant To The City Manager	Senior Management Analyst
Executive Secretary	Executive Assistant
Assistant City Clerk	Assistant City Clerk
Deputy City Clerk	Deputy City Clerk
Records Clerk I/II	Records Clerk I/II
City Attorney	
City Attorney	City Attorney
Chief Deputy City Attorney	Chief Deputy City Attorney
Senior Deputy City Attorney	Senior Deputy City Attorney
Deputy City Attorney	Deputy City Attorney
Paralegal	Paralegal
Paralegal Office Administrator	Paralegal Office Administrator
Legal Secretary	Legal Administrative Assistant
Development Services	
Director of Development Services	Director of Development Services
Planning Manager	Planning Manager
Principal Planner	Principal Planner
Senior Planner	Senior Planner
Associate Planner	Associate Planner
Planner	Planner
Assistant Planner	Assistant Planner
Planning Technician I/II	Planning Technician I/II
Chief Building Official	Chief Building Official
Building Inspector III	Building Inspector III
Building Inspector I/II	Building Inspector I/II
Plan Examiner I/II	Plan Examiner I/II
Engineering Technician IV	<i>See Engineering Department</i>
Development Services Technician I/II	Development Services Technician I/II

City of Merced
Master List of Class Titles
Organized by Job Classification within Each Organizational Unit
May 2019

Current Class Title	Recommended Class Title
Economic Development	
Director of Economic Development	Director of Economic Development
Development Associate	Economic Development Associate
Airport Manager	Airport Manager
Airport Operations Technician	Airport Operations Technician
Engineering	
City Engineer	City Engineer
Principal Engineer	Principal Engineer
Senior Engineer	Senior Engineer
Associate Engineer	Associate Engineer
Assistant Engineer	Assistant Engineer
Engineering Technician IV	Engineering Technician IV
Engineering Technician III	Engineering Technician III
Engineering Technician I/II	Engineering Technician I/II
City Surveyor	City Surveyor
Environmental Project Manager	Environmental Project Manager
Finance	
Finance Officer	Finance Officer
Deputy Finance Officer	Deputy Finance Officer
Accountant III	Senior Accountant
Accountant I/II	Accountant I/II
Accounting Technician	Accounting Technician
Account Clerk III	Account Clerk III
Account Clerk I/II	Account Clerk I/II
Revenue and Customer Service Supervisor	Revenue and Customer Service Supervisor
Payroll Coordinator	Payroll Supervisor
Payroll Technician I/II	Payroll Technician I/II
Purchasing Supervisor	Purchasing Supervisor
Storekeeper	Storekeeper
Fire	
Fire Chief	Fire Chief
Fire Deputy Chief	Fire Deputy Chief
Fire Battalion Chief - 56	Fire Battalion Chief - 56
Fire Captain - 56	Fire Captain - 56
Fire Engineer - 56	Fire Engineer - 56
Fire Fighter - 56	Fire Fighter - 56
Fire Marshal	Fire Marshal
Fire Inspector I/II	Fire Inspector I/II

City of Merced
Master List of Class Titles
Organized by Job Classification within Each Organizational Unit
May 2019

Current Class Title	Recommended Class Title
Housing	
Housing Program Supervisor	Housing Program Supervisor
Housing Finance Specialist	Housing Specialist
Housing Program Specialist I/II	Housing Program Specialist I/II
Information Technology	
Director of Information Technology	Director of Information Technology
Information Technology Manager	Information Technology Manager
Software Analyst I/II/III	Software Analyst I/II/III
Systems Engineer III	Systems Engineer III
Systems Engineer I/II	Systems Engineer I/II
Systems Technician III	Systems Technician III
Systems Technician I/II	Systems Technician I/II
Police	
Police Chief	Police Chief
Crime Analyst	Crime Analyst
New Class (1-Recreation Supervisor)	Community Liaison
Police Captain	Police Captain
Police Lieutenant	Police Lieutenant
Police Sergeant	Police Sergeant
Senior Police Officer	Senior Police Officer
Police Officer	Police Officer
Police Officer Trainee	Police Officer Trainee
Community Services Officer	Community Services Officer
Supervising Police Dispatcher	Communications Systems Supervisor
Lead Dispatcher	Dispatcher Shift Supervisor
Dispatcher I/II	Dispatcher I/II
Parking Enforcement Officer I/II	Parking Enforcement Officer I/II
Police Records Supervisor	Police Records Supervisor
Police Clerk I/II	Police Records Clerk I/II
Public Works	
Director of Public Works	Director of Public Works
Deputy PW Director	Deputy PW Director
Safety Specialist	Safety Coordinator
Accountant II	See Finance Department
Accounting Technician	See Finance Department
Account Clerk III	See Finance Department
GIS Coordinator	GIS Coordinator
Systems Technician II	See Information Technology Department

City of Merced
Master List of Class Titles
Organized by Job Classification within Each Organizational Unit
May 2019

Current Class Title	Recommended Class Title
PWM-Operations	PWM-Operations
PWS-Fleet	PWS-Fleet
Mechanic III	Lead Mechanic
Mechanic I/II	Mechanic I/II
Equipment Service Worker	Equipment Service Worker
Storekeeper	Storekeeper
PWS-Facilities	PWS-Facilities
Lead Facilities	Lead Facilities
Building Maintenance Worker I/II	Facilities Maintenance Worker I/II
Custodian I/II	Custodian I/II
PWM - Tax Services	PWM - Tax Services
PWS-Parks/Trees	PWS-Parks/Trees
Park Worker III	Lead Park Worker
Park Worker I/II	Park Worker I/II
Tree Trimmer	Tree Trimmer
PWS-Solid Waste	PWS-Solid Waste
Container Maintenance Worker	Container Maintenance Worker
Recycling Coordinator	Recycling Coordinator
Lead Refuse Equipment Operator	Lead Refuse Equipment Operator
New Class Level	Refuse Equipment Operator III
Refuse Equipment Operator	Refuse Equipment Operator II
Refuse Equipment Operator Trainee	Refuse Equipment Operator I
PWS-Streets	PWS-Streets
Traffic Signal/Lighting Tech	Traffic Signal/Lighting Tech
Maintenance Worker I/II	Maintenance Worker I/II
Street Sweeper Operator	Street Sweeper Operator I/II
Street Sweeper Operator Trainee	
PWM - Water	PWM - Water
Water Conservation Specialist	Water Conservation Coordinator
PWS-Water	PWS-Water
Lead - PW Water	Lead - PW Water
Pump Operator	Water Systems Operator
Water Systems Technician I/II/III	Water Distribution Operator I/II/III
New Class (1-PWS - Lab/Environmental Control)	PWS - Laboratory
Laboratory Technician III	Laboratory Technician III
Laboratory Technician I/II	Laboratory Technician I/II
Cross Connections Control Specialist	Cross Connections Control Specialist
Water Meter/Backflow Technician	Water Meter/Backflow Technician
Fabrication Tech/Storekeeper	Fabrication Tech/Storekeeper

City of Merced
Master List of Class Titles
Organized by Job Classification within Each Organizational Unit
May 2019

Current Class Title	Recommended Class Title
Finance Liaison	Finance Liaison
PWM - Wastewater	PWM - Wastewater
WWTP Maintenance Supervisor	WWTP Maintenance Supervisor
Instrumentation and Electrical Technician	Instrumentation Control and Electrical Technician
Maintenance Electrician	Maintenance Electrician
WWTP Maintenance Electrician/Mechanic	WWTP Maintenance Electrician/Mechanic
WWTP Mechanic I/II	WWTP Mechanic I/II
WWTP Operations Supervisor	WWTP Operations Supervisor
WWTP Operator I/II/III	WWTP Operator I/II/III
Land Application Program Lead	Lead Land Application
New Class (1-Maintenance Worker II)	Land Application Worker I/II
PWS - Lab/Environmental Control	PWS - Environmental Compliance
Environmental Control Officer I/II	Environmental Compliance Officer I/II
PWS-Main Sewers/Storm Drains	PWS-Sewers/Storm Drains
Lead Main Sewers / Storm Drains	Lead Sewers/Storm Drains
Collection System Worker III	Sewers/Storm Drains Worker I/II/III
Collection System Worker II	
PW - Sewer Coll Syst Worker	
Sewer And Storm Drain Collection Sys Worker	
PW Sewer Coll Sys Storm Drains Worker I	
Parks and Recreation	
Director of Parks And Recreation	Director of Parks and Recreation
Recreation Supervisor	Recreation Supervisor
Recreation Coordinator	Recreation Coordinator
Park Worker I	See Public Works Department
Lead Zoo Keeper	Lead Zoo Keeper
Zoo Keeper	Zoo Keeper
Support Services	
Director of Support Services	Director of Human Resources
Personnel Coordinator	Human Resources Analyst
Personnel Technician III	Human Resources Technician III
Personnel Technician I/II	Human Resources Technician I/II
Insurance Coordinator	Risk Analyst

APPENDIX B
EMPLOYEE ALLOCATION LIST

**City of Merced
Allocation List**

Department	Division	Employee Name	Current Class Title	Final Class Title
City Manager	Administration	Carrigan, Steven	City Manager	City Manager
City Manager	Administration	Dietz, Stephanie	Assistant City Manager	Assistant City Manager
City Manager	Administration	Conway, Michael	Assistant To The City Manager	Senior Management Analyst
City Manager	Administration	Reid, Michelle	Executive Secretary	Executive Assistant
City Manager	City Clerk	Tresidder, John	Assistant City Clerk	Assistant City Clerk
City Manager	City Clerk	Levesque, Jennifer	Deputy City Clerk	Deputy City Clerk
City Manager	City Clerk	Greene, Ennis	Records Clerk II	Records Clerk II
City Attorney	Administration	Vacancy - Jennifer Mcgrath,	City Attorney	City Attorney
City Attorney	Administration	Fincher, Kelly	Chief Deputy City Attorney	Chief Deputy City Attorney
City Attorney	Administration	Vacancy - Ken Rozell,	Senior Deputy City Attorney	Senior Deputy City Attorney
City Attorney	Administration	Garcia, Marti	Paralegal	Paralegal
City Attorney	Administration	Kovalcheck, Lynda	Legal Secretary	Legal Administrative Assistant
Development Services	Administration	Vacancy - David Gonzalves,	Director of Development Services	Director of Development Services
Development Services	Planning & Permitting	Espinosa, Kim	Planning Manager	Planning Manager
Development Services	Planning & Permitting	Hren, Michael	Principal Planner	Principal Planner
Development Services	Planning & Permitting	Nelson, Julie	Associate Planner	Associate Planner
Development Services	Planning & Permitting	Mendoza-Gonzalez, Francisco	Planner	Planner
Development Services	Planning & Permitting	Nutt, Kimberly	Planning Technician II	Planning Technician II
Development Services	Planning & Permitting	Lane, Victoria	Secretary III	Administrative Assistant III
Development Services	Planning & Permitting	Davis, Stephani	Secretary I	Administrative Assistant I
Development Services	Inspection Services	Frazier, Denise	Chief Building Official	Chief Building Official
Development Services	Inspection Services	Brown, Gerald	Building Inspector III	Building Inspector III
Development Services	Inspection Services	Armstrong, David	Building Inspector II	Building Inspector II
Development Services	Inspection Services	Macha, Robert	Building Inspector II	Building Inspector II
Development Services	Inspection Services	Vacancy - Frazier, Denise	Plan Examiner II	Plan Examiner II
Development Services	Inspection Services	Brown, Danny	Plan Examiner I	Plan Examiner I
Development Services	Inspection Services	Crabb, Cindy	Plan Examiner I	Plan Examiner I
Development Services	Inspection Services	England, Stuart	Engineering Technician IV	Engineering Technician IV
Economic Development	Administration	Quintero, Frank	Director of Economic Development	Director of Economic Development
Economic Development	Administration	Baker, Karen	Development Associate	Economic Development Associate
Economic Development	Administration	Mendoza, Maria	Development Associate	Economic Development Associate

**City of Merced
Allocation List**

Department	Division	Employee Name	Current Class Title	Final Class Title
Economic Development	Airport	Pehl, Martin	Airport Manager	Airport Manager
Economic Development	Airport	Kwiatkowski, Jon	Airport Operations Technician	Airport Operations Technician
Engineering	Administration	Vacancy- Ken Elwin,	City Engineer	City Engineer
Engineering	Administration	Lee, Nancy	Secretary II	Administrative Assistant II
Engineering	Administration	Vacancy	Principal Engineer	Principal Engineer
Engineering	Administration	Ainsworth, John	Senior Engineer	Senior Engineer
Engineering	Administration	Mccomb, Ashley	Associate Engineer	Associate Engineer
Engineering	Administration	Svendsen, Joel	Associate Engineer	Associate Engineer
Engineering	Administration	Vacancy - Ken Elliott,	Assistant Engineer	Assistant Engineer
Engineering	Administration	Vacancy - Doug Cameron,	Engineering Technician IV	Engineering Technician IV
Engineering	Administration	Robinson, Mukunda	Engineering Technician IV (underfilled Asst Engineer)	Engineering Technician IV (Underfilled Asst Engineer)
Engineering	Administration	Flores, Paul	Engineering Technician II	Engineering Technician II
Engineering	Administration	Cardoso, Joe	City Surveyor	City Surveyor
Engineering	Administration	Angulo, Joseph	Environmental Project Manager	Environmental Project Manager
Finance	Administration	Rodriguez, Mary	Finance Officer	Finance Officer
Finance	Administration	Trujillo, Julie	Deputy Finance Officer	Deputy Finance Officer
Finance	Accounting	Fagundes, Renie	Accountant III	Senior Accountant
Finance	Accounting	Vacancy - Rodriguez, Mary	Accountant III	Senior Accountant
Finance	Accounting	Vacancy - Trujillo, Julie	Accountant III	Senior Accountant
Finance	Accounting	Law, Faye	Accountant II	Accountant II
Finance	Accounting	Richardson, Deborah	Accountant II	Accountant II
Finance	Accounting	Vacancy - New Position Fy17.18,	Accounting Technician	Accounting Technician
Finance	Accounting	Black, Doris	Accounting Technician	Accounting Technician
Finance	Accounting	Gomes, Kimberly	Accounting Technician	Accounting Technician
Finance	Accounting	Karle, Melanie	Accounting Technician	Accounting Technician
Finance	Accounting	Putman, Patricia	Accounting Technician	Accounting Technician
Finance	Accounting	Usog, Rose	Accounting Technician	Accounting Technician
Finance	Accounting	Espino, Alma	Account Clerk III	Account Clerk III
Finance	Accounting	Saephan, Marlena	Account Clerk II	Account Clerk II
Finance	Accounting	Degn, Trevor	Account Clerk I	Account Clerk I
Finance	Accounting	Soito, Jenny	Account Clerk I	Account Clerk I
Finance	Accounting	Tuffnell, Laura	Account Clerk I	Account Clerk I
Finance	Accounting	Moua, Makino	Account Clerk I	Account Clerk I

City of Merced
Allocation List

Department	Division	Employee Name	Current Class Title	Final Class Title
Finance	Payroll	Vierra, Joni	Payroll Coordinator	Payroll Supervisor
Finance	Payroll	Del Real, Albert	Payroll Technician II	Payroll Technician II
Finance	Purchasing	Marquez, Julio	Purchasing Supervisor	Purchasing Supervisor
Finance	Purchasing	German, Arthur	Storekeeper	Storekeeper
Fire	Administration	Wilkinson, Michael	Fire Chief	Fire Chief
Fire	Administration	Alcorn, William	Fire Deputy Chief	Fire Deputy Chief
Fire	Administration	German, Janet	Secretary III	Administrative Assistant III
Fire	Administration	Mileur, Lori	Secretary I	Administrative Assistant I
Fire	Administration	Franklin, Jeremy	Fire Battalion Chief - 56	Fire Battalion Chief - 56
Fire	Administration	Haas, Cory	Fire Battalion Chief - 56	Fire Battalion Chief - 56
Fire	Administration	Horta, Jeffrey	Fire Battalion Chief - 56	Fire Battalion Chief - 56
Fire	Administration	Cole, Jeffrey	Fire Captain - 56	Fire Captain - 56
Fire	Administration	England, Thomas	Fire Captain - 56	Fire Captain - 56
Fire	Administration	Frankhauser, Nathan	Fire Captain - 56	Fire Captain - 56
Fire	Administration	Giotto, Anthony	Fire Captain - 56	Fire Captain - 56
Fire	Administration	Ipock, Brian	Fire Captain - 56	Fire Captain - 56
Fire	Administration	Luce, Shawn	Fire Captain - 56	Fire Captain - 56
Fire	Administration	Markarian, Brett	Fire Captain - 56	Fire Captain - 56
Fire	Administration	McMillen, John	Fire Captain - 56	Fire Captain - 56
Fire	Administration	Paskin, Ryan	Fire Captain - 56	Fire Captain - 56
Fire	Administration	Ploog, Kevin	Fire Captain - 56	Fire Captain - 56
Fire	Administration	Tomerlin, Jeffrey	Fire Captain - 56	Fire Captain - 56
Fire	Administration	Walker, Mark	Fire Captain - 56	Fire Captain - 56
Fire	Administration	Wells, Ryan	Fire Captain - 56	Fire Captain - 56
Fire	Administration	Wilson, Casey	Fire Captain - 56	Fire Captain - 56
Fire	Administration	Wilson, Joshua	Fire Captain - 56	Fire Captain - 56
Fire	Administration	Young, Dewayne	Fire Captain - 56	Fire Captain - 56
Fire	Administration	Akers, Bryan	Fire Engineer - 56	Fire Engineer - 56
Fire	Administration	Albrecht, Keith	Fire Engineer - 56	Fire Engineer - 56
Fire	Administration	Atkins, Scott	Fire Engineer - 56	Fire Engineer - 56
Fire	Administration	Hathaway, Andrew	Fire Engineer - 56	Fire Engineer - 56
Fire	Administration	Mariucci, Craig	Fire Engineer - 56	Fire Engineer - 56
Fire	Administration	Parker, Grant	Fire Engineer - 56	Fire Engineer - 56
Fire	Administration	Pickinpaugh, Adrian	Fire Engineer - 56	Fire Engineer - 56
Fire	Administration	Ramirez, Richard	Fire Engineer - 56	Fire Engineer - 56
Fire	Administration	Rollins, Robert	Fire Engineer - 56	Fire Engineer - 56
Fire	Administration	Simmons, Joshua	Fire Engineer - 56	Fire Engineer - 56
Fire	Administration	Swan, William	Fire Engineer - 56	Fire Engineer - 56

**City of Merced
Allocation List**

Department	Division	Employee Name	Current Class Title	Final Class Title
Fire	Administration	Trost, Jeff	Fire Engineer - 56	Fire Engineer - 56
Fire	Administration	Van Hagen, Matthew	Fire Engineer - 56	Fire Engineer - 56
Fire	Administration	Verrinder, Joel	Fire Engineer - 56	Fire Engineer - 56
Fire	Administration	Whitehead, John	Fire Engineer - 56	Fire Engineer - 56
Fire	Administration	Vacancy - Jack Jones,	Fire Engineer - 56	Fire Engineer - 56
Fire	Administration	Alley, Derek	Fire Fighter - 56	Fire Fighter - 56
Fire	Administration	Boyd, Brent	Fire Fighter - 56	Fire Fighter - 56
Fire	Administration	Flora, Dale	Fire Fighter - 56	Fire Fighter - 56
Fire	Administration	Gehring, Joshua	Fire Fighter - 56	Fire Fighter - 56
Fire	Administration	Kraft, Jamison	Fire Fighter - 56	Fire Fighter - 56
Fire	Administration	Lee, Nathaniel	Fire Fighter - 56	Fire Fighter - 56
Fire	Administration	Perez, Jeremy	Fire Fighter - 56	Fire Fighter - 56
Fire	Administration	Poole, Luke	Fire Fighter - 56	Fire Fighter - 56
Fire	Administration	Rametta, Samuel	Fire Fighter - 56	Fire Fighter - 56
Fire	Administration	Sletto, Thomas	Fire Fighter - 56	Fire Fighter - 56
Fire	Administration	Vasquez, Aaron	Fire Fighter - 56	Fire Fighter - 56
Fire	Administration	Stephenson, Michael	Fire Marshal	Fire Marshal
Fire	Administration	Abeyta, Manuel	Fire Inspector I	Fire Inspector I
Fire	Protection/Cfd-Public	Englert, Chad	Fire Captain - 56	Fire Captain - 56
Fire	Protection/Measure	Evans, James	Fire Captain - 56	Fire Captain - 56
Fire	Protection/Measure	Madruga, Morgan	Fire Captain - 56	Fire Captain - 56
Fire	Protection/Measure	Buccola, Kevin	Fire Engineer - 56	Fire Engineer - 56
Fire	Protection/Measure	Hakola, Jeffrey	Fire Engineer - 56	Fire Engineer - 56
Fire	Protection/Measure	Tierney, Sean	Fire Engineer - 56	Fire Engineer - 56
Fire	Protection/Measure	Vacancy - Sean Tierney,	Fire Engineer - 56	Fire Engineer - 56
Fire	Protection/Measure	Alley, Matthew	Fire Fighter - 56	Fire Fighter - 56
Fire	Protection/Measure	Beard, Thomas	Fire Fighter - 56	Fire Fighter - 56
Fire	Protection/Measure	Dickens, William	Fire Fighter - 56	Fire Fighter - 56
Fire	Protection/Measure	Hamm, Jeremy	Fire Fighter - 56	Fire Fighter - 56
Fire	Protection/Measure	Jarratt, Joseph	Fire Fighter - 56	Fire Fighter - 56
Fire	Protection/Measure	Rangel, Daniel	Fire Fighter - 56	Fire Fighter - 56
Fire	Protection/Measure	Ybarra, Gregory	Fire Fighter - 56	Fire Fighter - 56
Housing	Administration	Hamilton, Mark	Housing Program Supervisor	Housing Program Supervisor
Housing	Administration	Mendonca, Dawn	Housing Finance Specialist	Housing Specialist
Information Technology	Administration	Bennyhoff, Jeffrey	Director of Information Technology	Director of Information Technology
Information Technology	Administration	Ford, Kyle	Information Technology Manager	Information Technology Manager

**City of Merced
Allocation List**

Department	Division	Employee Name	Current Class Title	Final Class Title
Information Technology	Administration	Lawrie, Travis	Software Analyst III	Software Analyst III
Information Technology	Administration	Cardoza, John	Software Analyst II	Software Analyst II
Information Technology	Administration	Vacancy - Belinda Burnett,	Software Analyst I	Software Analyst I
Information Technology	Administration	Garrison, Aarin	Systems Engineer II	Systems Engineer II
Information Technology	Administration	Keyser, David	Systems Engineer II	Systems Engineer II
Information Technology	Administration	Alcantara, Michelle	Systems Engineer I	Systems Engineer I
Information Technology	Administration	Shipman, Carolyn	Systems Technician II	Systems Technician II
Information Technology	Administration	Vacancy - Alcantara, Michelle	Systems Technician I	Systems Technician I
Police	Administration	Andrade, Norman	Police Chief	Police Chief
Police	Administration	Mora, Tonya	Management Analyst	Management Analyst
Police	Administration	Eber, Lance	Crime Analyst	Crime Analyst
Police	Administration	West, Bimley	Police Captain	Police Captain
Police	Administration	Williams, Matthew	Police Captain	Police Captain
Police	Administration	Vacancy - New Position Fy17.18,	Police Lieutenant	Police Lieutenant
Police	Administration	Drummond, Eugene	Recreation Supervisor	Community Liaison
Police	Cfd-Public Safe/Pu	Goodwin, Christopher	Police Captain	Police Captain
Police	Cfd-Public Safe/Pu	Bowen, Brian	Senior Police Officer	Senior Police Officer
Police	Cfd-Public Safe/Pu	Haygood, Calvin	Senior Police Officer	Senior Police Officer
Police	Investigations	Gorman, Curtis	Police Sergeant	Police Sergeant
Police	Investigations	Perez, Joseph	Police Sergeant	Police Sergeant
Police	Investigations	Adrian, Allen	Senior Police Officer	Senior Police Officer
Police	Investigations	Deliman, Joseph	Senior Police Officer	Senior Police Officer
Police	Investigations	Henderson, Joseph	Senior Police Officer	Senior Police Officer
Police	Investigations	Horn, Jeffrey	Senior Police Officer	Senior Police Officer
Police	Investigations	Nelson, Moses	Senior Police Officer	Senior Police Officer
Police	Investigations	Rios, Raquel	Senior Police Officer	Senior Police Officer
Police	Investigations	Russell, Christopher	Senior Police Officer	Senior Police Officer
Police	Measure "C"/Public	King, Donald	Police Lieutenant	Police Lieutenant
Police	Measure "C"/Public	Struble Jr, Jacob	Police Lieutenant	Police Lieutenant
Police	Measure "C"/Public	Chapman Jr, Bobby	Police Sergeant	Police Sergeant
Police	Measure "C"/Public	Drum, Edward	Police Sergeant	Police Sergeant
Police	Measure "C"/Public	Solis, Luis	Police Sergeant	Police Sergeant
Police	Measure "C"/Public	Cowings, Christopher	Senior Police Officer	Senior Police Officer
Police	Measure "C"/Public	De Jong, Nicholas	Senior Police Officer	Senior Police Officer
Police	Measure "C"/Public	Marshall, James	Senior Police Officer	Senior Police Officer
Police	Measure "C"/Public	Mccomb, William	Senior Police Officer	Senior Police Officer
Police	Measure "C"/Public	Mckinnon, Nathaniel	Senior Police Officer	Senior Police Officer

City of Merced
Allocation List

Department	Division	Employee Name	Current Class Title	Final Class Title
Police	Measure "C"/Public	Stokes, Krista	Senior Police Officer	Senior Police Officer
Police	Measure "C"/Public	Arias, Edwin	Police Officer	Police Officer
Police	Measure "C"/Public	Brown, Kourtney	Police Officer	Police Officer
Police	Measure "C"/Public	De Hoyos III, Arturo	Police Officer	Police Officer
Police	Measure "C"/Public	Enero, Natalia	Police Officer	Police Officer
Police	Measure "C"/Public	Opinski, Joseph	Police Officer	Police Officer
Police	Measure "C"/Public	Vacancy - Ramon Ruiz,	Police Officer	Police Officer
Police	Measure "C"/Public	Vacancy - Nelson ,	Police Officer	Police Officer
Police	Measure "C"/Public	Aguirre, Spencer	Police Officer	Police Officer
Police	Operations	Ward, Alan	Police Lieutenant	Police Lieutenant
Police	Operations	Alvarez, Reynaldo	Police Sergeant	Police Sergeant
Police	Operations	Aponte, Antonio	Police Sergeant	Police Sergeant
Police	Operations	Court, Rodney	Police Sergeant	Police Sergeant
Police	Operations	Dabney, Daniel	Police Sergeant	Police Sergeant
Police	Operations	Pintabona, Leone	Police Sergeant	Police Sergeant
Police	Operations	Rodriguez, Brian	Police Sergeant	Police Sergeant
Police	Operations	Weiss, Joseph	Police Sergeant	Police Sergeant
Police	Operations	Avery, William	Senior Police Officer	Senior Police Officer
Police	Operations	Chavez, Eduardo	Senior Police Officer	Senior Police Officer
Police	Operations	Dalia, Bernard	Senior Police Officer	Senior Police Officer
Police	Operations	Flores, Fernando	Senior Police Officer	Senior Police Officer
Police	Operations	Gaches, Timothy	Senior Police Officer	Senior Police Officer
Police	Operations	Gallegos Jr, Miguel	Senior Police Officer	Senior Police Officer
Police	Operations	Garcia Jr, Alvino	Senior Police Officer	Senior Police Officer
Police	Operations	Gonzales, Jeffery	Senior Police Officer	Senior Police Officer
Police	Operations	Greene, Sean	Senior Police Officer	Senior Police Officer
Police	Operations	Jasso, Cruz	Senior Police Officer	Senior Police Officer
Police	Operations	Jenkins, Mark	Senior Police Officer	Senior Police Officer
Police	Operations	King, Ryan	Senior Police Officer	Senior Police Officer
Police	Operations	Lodwick, James	Senior Police Officer	Senior Police Officer
Police	Operations	Martinez, Thomas	Senior Police Officer	Senior Police Officer
Police	Operations	Mckeeman, Craig	Senior Police Officer	Senior Police Officer
Police	Operations	Padgett Jr, Jesse	Senior Police Officer	Senior Police Officer
Police	Operations	Pinnegar, John	Senior Police Officer	Senior Police Officer
Police	Operations	Rasmussen, Ryan	Senior Police Officer	Senior Police Officer
Police	Operations	Richardson, Daniel	Senior Police Officer	Senior Police Officer
Police	Operations	Rieg, Keith	Senior Police Officer	Senior Police Officer
Police	Operations	Rinder, Brian	Senior Police Officer	Senior Police Officer
Police	Operations	Foster, Emily	Senior Police Officer	Senior Police Officer
Police	Operations	Rodriguez, Rogelio	Senior Police Officer	Senior Police Officer
Police	Operations	Saelee, Bryan	Senior Police Officer	Senior Police Officer

**City of Merced
Allocation List**

Department	Division	Employee Name	Current Class Title	Final Class Title
Police	Operations	Salyers, Jeremy	Senior Police Officer	Senior Police Officer
Police	Operations	Sannadan Jr, Samuel	Senior Police Officer	Senior Police Officer
Police	Operations	Sapien, Vince	Senior Police Officer	Senior Police Officer
Police	Operations	Smith, Steven	Senior Police Officer	Senior Police Officer
Police	Operations	Villarreal, Peter	Senior Police Officer	Senior Police Officer
Police	Operations	Vacancy - New Position Fy17.18,	Police Officer	Police Officer
Police	Operations	Vacancy - New Position Fy17.18,	Police Officer	Police Officer
Police	Operations	Barajas, Jose	Police Officer	Police Officer
Police	Operations	Crain, Levi	Police Officer	Police Officer
Police	Operations	Cruz, Jose	Police Officer	Police Officer
Police	Operations	Elliott, Coleman	Police Officer	Police Officer
Police	Operations	Fister, Jacob	Police Officer	Police Officer
Police	Operations	Garcia, Israel	Police Officer	Police Officer
Police	Operations	Gonzalez, Jesus	Police Officer	Police Officer
Police	Operations	Gorman, Alicia	Police Officer	Police Officer
Police	Operations	Lupian, Christian	Police Officer	Police Officer
Police	Operations	Martinez, Naomi	Police Officer	Police Officer
Police	Operations	Mccannon, Tyler	Police Officer	Police Officer
Police	Operations	Morehead, Jessica	Police Officer	Police Officer
Police	Operations	Nava, Julian	Police Officer	Police Officer
Police	Operations	O'Brien, Lance	Police Officer	Police Officer
Police	Operations	Odom, Steven	Police Officer	Police Officer
Police	Operations	Richter, Myles	Police Officer	Police Officer
Police	Operations	Rodriguez, Enrique	Police Officer	Police Officer
Police	Operations	Rosales, Nicolas	Police Officer	Police Officer
Police	Operations	Stewart, Zachary	Police Officer	Police Officer
Police	Operations	Valadez, Raymond	Police Officer	Police Officer
Police	Operations	Walton, Joshua	Police Officer	Police Officer
Police	Operations	Wilkins, Brandon	Police Officer	Police Officer
Police	Operations	Wilson, Chase	Police Officer	Police Officer
Police	Operations	Vacancy - Vance Walker,	Police Officer	Police Officer
Police	Operations	Vacancy - Johnson,	Police Officer	Police Officer
Police	Operations	Rocha, Taylor	Police Officer	Police Officer
Police	Operations	Prado-Fainter, Gloria	Community Services Officer	Community Services Officer
Police	Operations	Wethern, Marilyn	Community Services Officer	Community Services Officer
Police	Operations	Yniguez, Gayle	Community Services Officer	Community Services Officer
Police	Animal Control	Bogle, Kenneth	Community Services Officer	Community Services Officer
Police	Animal Control	Farmer, Timothy	Community Services Officer	Community Services Officer
Police	Animal Control	Hicks, Jackie	Community Services Officer	Community Services Officer
Police	Animal Control	Nole, Michael	Community Services Officer	Community Services Officer
Police	Animal Control	Partlow, Jacob	Community Services Officer	Community Services Officer

**City of Merced
Allocation List**

Department	Division	Employee Name	Current Class Title	Final Class Title
Police	Communications	Dillsaver Jr, Marvin	Supervising Police Dispatcher	Communications Systems Supervisor
Police	Communications	Bailey, Sondra	Lead Dispatcher	Dispatcher Shift Supervisor
Police	Communications	Jones, Courtney	Lead Dispatcher	Dispatcher Shift Supervisor
Police	Communications	Perez, Gisele	Lead Dispatcher	Dispatcher Shift Supervisor
Police	Communications	Bonita, Ashley	Dispatcher II	Dispatcher II
Police	Communications	Chance, Nicole	Dispatcher II	Dispatcher II
Police	Communications	Lanum, Chazelle	Dispatcher II	Dispatcher II
Police	Communications	Linares, Lisa	Dispatcher II	Dispatcher II
Police	Communications	Patel, Chetna	Dispatcher II	Dispatcher II
Police	Communications	Vacancy - Marcella Stefanski,	Dispatcher I	Dispatcher I
Police	Communications	Bell, Sarah	Dispatcher I	Dispatcher I
Police	Communications	Cruickshanks, Rachel	Dispatcher I	Dispatcher i
Police	Communications	Gordon, Grace	Dispatcher I	Dispatcher I
Police	Communications	Rocha, Chelsea	Dispatcher I	Dispatcher I
Police	Communications	Choquette, Kristelle	Dispatcher I	Dispatcher I
Police	Communications	Zimmerman, Marcelina	Dispatcher I	Dispatcher I
Police	Parking Enforcement	Phillips, Jessica	Parking Enforcement Officer II	Parking Enforcement Officer II
Police	Parking Enforcement	Santiago, Ruby	Parking Enforcement Officer I	Parking Enforcement Officer I
Police	Records	Bertram, Jamie	Police Records Supervisor	Police Records Supervisor
Police	Records	Capehart, Belinda	Police Clerk II	Police Records Clerk II
Police	Records	Carmo, Susan	Police Clerk II	Police Records Clerk II
Police	Records	Eakman, Raymond	Police Clerk II	Police Records Clerk II
Police	Records	Keesler, Doreen	Police Clerk II	Police Records Clekr II
Police	Records	Rockholt, Charles	Police Clerk II	Police Records Clerk II
Police	Records	Slaven, Cecelia	Police Clerk II	Police Records Clerk II
Police	Records	Wootten, Aime	Police Clerk II	Police Records Clerk II
Police	Records	Murphy, Wendy	Police Clerk II	Police Records Clerk II
Police	Records	Rogers, Michael	Police Clerk II	Police Records Clerk II
Police	Records	Lopez, Minerva	Police Clerk I	Police Records Clerk I
Police	Records	Reyes, Luisana	Police Clerk I	Police Records Clerk I
Public Works	Administration	Elwin, Ken	Director of Public Works	Director of Public Works
Public Works	Administration	Vacancy - New Fy15/16,	Deputy PW Director	Deputy PW Director
Public Works	Administration	Adams, Kathleen	Safety Specialist	Safety Coordinator
Public Works	Administration	Cruz, Jamie	Management Analyst	Management Analyst
Public Works	Administration	Vacancy - New Position Fy17.18,	Secretary III	Administrative Assistant III
Public Works	Administration	Cortright, Jessica	Secretary II	Administrative Assistant II
Public Works	Administration	Vacancy - Lee, Nancy	Secretary II	Administrative Assistant II

**City of Merced
Allocation List**

Department	Division	Employee Name	Current Class Title	Final Class Title
Public Works	Administration	Brown, Deborah	Secretary I	Administrative Assistant I
Public Works	Administration	Forte, Debbie	Secretary I	Administrative Assistant I
Public Works	Administration	Madrigal, Debra	Secretary I	Administrative Assistant I
Public Works	Administration	Johnson, Kevin	Accountant II	Accountant II
Public Works	Administration	Hammond, Renee	Accounting Technician	Accounting Technician
Public Works	Administration	Daniels, Bev	Account Clerk III	Account Clerk III
Public Works	Administration	Knoester, Sarah	Account Clerk III	Account Clerk III
Public Works	Administration	Randazzo, Correnna	Clerk Typist I	Office Assistant I
Public Works	Administration	Machado, Micheal	GIS Coordinator	GIS Coordinator
Public Works	Administration	Vang, A	Systems Technician II	Systems Technician II
Public Works	Fleet	Arnold, Daniel	PWM-Operations	PWM-Operations
Public Works	Fleet	Broughton, Wallace	PWS-Fleet	PWS-Fleet
Public Works	Fleet	Cromie III, Robert	Mechanic II	Mechanic II
Public Works	Fleet	Gregory, Byron	Mechanic II	Mechanic II
Public Works	Fleet	Gutierrezherrera, Elias	Mechanic II	Mechanic II
Public Works	Fleet	Hansen, Robert	Mechanic II	Mechanic II
Public Works	Fleet	Million, Daniel	Mechanic II	Mechanic II
Public Works	Fleet	Ordunez, Cosmo	Mechanic II	Mechanic II
Public Works	Fleet	Yowell, Chris	Mechanic II	Mechanic II
Public Works	Fleet	Venegas Sanchez, Jose	Mechanic II	Mechanic II
Public Works	Fleet	Justo, Erik	Mechanic I	Mechanic I
Public Works	Fleet	Ahnen, Kevin	Equipment Service Worker	Equipment Service Worker
Public Works	Fleet	Bettencourt, Nelson	Equipment Service Worker	Equipment Service Worker
Public Works	Fleet	Odishoo, Alex	Equipment Service Worker	Equipment Service Worker
Public Works	Fleet	Douglas, Gregory	Equipment Service Worker	Equipment Service Worker
Public Works	Fleet	Lozano Jr, Filbert	Storekeeper	Storekeeper
Public Works	Facility Maint & Op	Spangler, John	PWS-Facilities	PWS-Facilities
Public Works	Facility Maint & Op	Garcia, Joel	Building Maintenance Worker II	Facilities Maintenance Worker II
Public Works	Facility Maint & Op	Brooks, Robert	Building Maintenance Worker I	Facilities Maintenance Worker I
Public Works	Facility Maint & Op	Hernandez, William	Building Maintenance Worker I	Facilities Maintenance Worker I
Public Works	Facility Maint & Op	Gonzales, Manuel	Custodian II	Custodian II
Public Works	Facility Maint & Op	Lista, Paul	Custodian II	Custodian II
Public Works	Facility Maint & Op	Lopez Jr, Robert	Custodian II	Custodian II
Public Works	Facility Maint & Op	Medrano, Modesto	Custodian II	Custodian II
Public Works	Facility Maint & Op	Mulligan, Debra	Custodian II	Custodian II
Public Works	Facility Maint & Op	Flynn, Thomas	Custodian I	Custodian I
Public Works	Facility Maint & Op	Richards, Paige	Custodian I	Custodian I
Public Works	Green Waste	Aguirre, Rene	Refuse Equipment Operator	Refuse Equipment Operator II
Public Works	Green Waste	Slayter, Mickey	Refuse Equipment Operator	Refuse Equipment Operator II

**City of Merced
Allocation List**

Department	Division	Employee Name	Current Class Title	Final Class Title
Public Works	Green Waste	Thompson, Paul	Refuse Equipment Operator	Refuse Equipment Operator II
Public Works	Green Waste	Ayers, Alvin	Refuse Equipment Operator	Refuse Equipment Operator II
Public Works	Green Waste	Soto, David	Refuse Equipment Operator	Refuse Equipment Operator II
Public Works	Green Waste	Takash, Anthony	Park Worker II	Park Worker II
Public Works	Maint Service - Downtown	Hopkins, Steven	Park Worker II	Park Worker II
Public Works	Parks	Miller, Michael	PWM - Tax Services	PWM - Tax Services
Public Works	Parks	Sanchez, George	PWS-Parks/Trees	PWS-Parks/Trees
Public Works	Parks	Eleshio, Paul	Park Worker III	Lead Park Worker
Public Works	Parks	Abarca, Basabe	Park Worker III	Lead Park Worker
Public Works	Parks	Vacancy - New Position Fy17.18,	Park Worker III	Lead Park Worker
Public Works	Parks	Bueno, Mark	Park Worker II	Park Worker II
Public Works	Parks	Reyes, Arthur	Park Worker II	Park Worker II
Public Works	Parks	Vargas Jr, Rudolph	Park Worker II	Park Worker II
Public Works	Parks	Vacancy - Ables, Deven	Park Worker I	Park Worker I
Public Works	Parks	Vacancy - Reyes, Zachary	Park Worker I	Park Worker I
Public Works	Refuse Collection	McComb, Daniel	PWS-Solid Waste	PWS-Solid Waste
Public Works	Refuse Collection	Berlier, Eric	Container Maintenance Worker	Container Maintenance Worker
Public Works	Refuse Collection	Gama, Monique	Recycling Coordinator	Recycling Coordinator
Public Works	Refuse Collection	Kimbro, Jason	Lead Refuse Equipment Operator	Lead Refuse Equipment Operator
Public Works	Refuse Collection	Schlessinger, Mikel	Lead Refuse Equipment Operator	Lead Refuse Equipment Operator
Public Works	Refuse Collection	Vacancy - Sergio Ceja-Prado,	Refuse Equipment Operator	Refuse Equipment Operator II
Public Works	Refuse Collection	Alonzo, Miguel	Refuse Equipment Operator	Refuse Equipment Operator II
Public Works	Refuse Collection	Badillo, Gerardo	Refuse Equipment Operator	Refuse Equipment Operator II
Public Works	Refuse Collection	Bucac, Chris	Refuse Equipment Operator	Refuse Equipment Operator II
Public Works	Refuse Collection	Bugarin Jr, Jose	Refuse Equipment Operator	Refuse Equipment Operator II
Public Works	Refuse Collection	Cascia, Lisa	Refuse Equipment Operator	Refuse Equipment Operator II
Public Works	Refuse Collection	Denney, Wesley	Refuse Equipment Operator	Refuse Equipment Operator II
Public Works	Refuse Collection	Foster, Douglas	Refuse Equipment Operator	Refuse Equipment Operator II
Public Works	Refuse Collection	Gooding, Kenneth	Refuse Equipment Operator	Refuse Equipment Operator II
Public Works	Refuse Collection	Harkreader, Dakota	Refuse Equipment Operator	Refuse Equipment Operator II
Public Works	Refuse Collection	Vacancy - Hermosillo, Gregory	Refuse Equipment Operator	Refuse Equipment Operator II
Public Works	Refuse Collection	Johnson, Todd	Refuse Equipment Operator	Refuse Equipment Operator II
Public Works	Refuse Collection	Lopez, Lazaro	Refuse Equipment Operator	Refuse Equipment Operator II
Public Works	Refuse Collection	Magill, Andy	Refuse Equipment Operator	Refuse Equipment Operator II
Public Works	Refuse Collection	Moreno, Victor	Refuse Equipment Operator	Refuse Equipment Operator II
Public Works	Refuse Collection	Norman, Gregory	Refuse Equipment Operator	Refuse Equipment Operator II
Public Works	Refuse Collection	Nush, Mark	Refuse Equipment Operator	Refuse Equipment Operator II

**City of Merced
Allocation List**

Department	Division	Employee Name	Current Class Title	Final Class Title
Public Works	Refuse Collection	Phillips III, Joseph	Refuse Equipment Operator	Refuse Equipment Operator II
Public Works	Refuse Collection	Riley, Justin	Refuse Equipment Operator	Refuse Equipment Operator II
Public Works	Refuse Collection	Sanchez, Joseph	Refuse Equipment Operator	Refuse Equipment Operator II
Public Works	Refuse Collection	Sandoval, Gabriel	Refuse Equipment Operator	Refuse Equipment Operator II
Public Works	Refuse Collection	Valles, Santiago	Refuse Equipment Operator	Refuse Equipment Operator II
Public Works	Refuse Collection	Yanez, Ignacio	Refuse Equipment Operator	Refuse Equipment Operator II
Public Works	Refuse Collection	Beveridge, Damion	Refuse Equipment Operator Trainee	Refuse Equipment Operator I
Public Works	Refuse Collection	Ingraham, Michael	Refuse Equipment Operator Trainee	Refuse Equipment Operator I
Public Works	Refuse Collection	Lopez, Carlos	Refuse Equipment Operator Trainee	Refuse Equipment Operator I
Public Works	Refuse Collection	Lopez-Castro, Jose	Refuse Equipment Operator Trainee	Refuse Equipment Operator I
Public Works	Refuse Collection	Torres, Gilberto	Refuse Equipment Operator Trainee	Refuse Equipment Operator I
Public Works	Refuse Collection	Torres, Daniel	Refuse Equipment Operator Trainee	Refuse Equipment Operator I
Public Works	Refuse Collection	Valencia Jr., Ricardo	Refuse Equipment Operator Trainee	Refuse Equipment Operator I
Public Works	Street Maintenance	Olmos, Juan	PWS-Streets	PWS-Streets
Public Works	Street Maintenance	Frederick, Jeffrey	Traffic Signal/Lighting Tech	Traffic Signal/Lighting Tech
Public Works	Street Maintenance	Plagenza, Corey	Traffic Signal/Lighting Tech	Traffic Signal/Lighting Tech
Public Works	Street Maintenance	Arauz, Arcinio	Maintenance Worker II	Maintenance Worker II
Public Works	Street Maintenance	Espinoza, Alejandro	Maintenance Worker II	Maintenance Worker II
Public Works	Street Maintenance	Machado, Johnathan	Maintenance Worker II	Maintenance Worker II
Public Works	Street Maintenance	Gallegos, Carlos	Maintenance Worker I	Maintenance Worker I
Public Works	Street Maintenance	Harkreader, Tanner	Maintenance Worker I	Maintenance Worker I
Public Works	Street Trees	Flores, Antonio	Tree Trimmer	Tree Trimmer
Public Works	Street Trees	Lopez, Saul	Tree Trimmer	Tree Trimmer
Public Works	Street Trees	Meyer, Dean	Tree Trimmer	Tree Trimmer
Public Works	Street Trees	Torres-Garcia, Valente	Tree Trimmer	Tree Trimmer
Public Works	Street Trees	Anderson, Samuel	Tree Trimmer	Tree Trimmer
Public Works	Street Trees	Vacancy - New Position Fy17.18,	Tree Trimmer	Tree Trimmer
Public Works	Street Sweeping	Blessing, Dennis	Street Sweeper Operator	Street Sweeper Operator
Public Works	Street Sweeping	Burks, Robert	Street Sweeper Operator	Street Sweeper Operator
Public Works	Street Sweeping	Smyk, Stanley	Street Sweeper Operator	Street Sweeper Operator
Public Works	Street Sweeping	Rubalcava, Angel	Street Sweeper Operator Trainee	Street Sweeper Operator Trainee
Public Works	Street Sweeping	Torres, Christian	Street Sweeper Operator Trainee	Street Sweeper Operator Trainee
Public Works	Storm Drains	Beckman, Matthew	Collection System Worker II	Sewers/Storm Drains Worker II
Public Works	Storm Drains	Vacancy - New Position Fy17.18,	PW Sewer Coll Sys Storm Drains Worker I	Sewers/Storm Drains Worker I
Public Works	Storm Drains	Vacancy - New Position Fy17.18,	PW Sewer Coll Sys Storm Drains Worker I	Sewers/Storm Drains Worker I
Public Works	Water Systems	Baptista III, Johnnie	PWM - Water	PWM - Water
Public Works	Water Systems	Brown, Leah	Water Conservation Specialist	Water Conservation Coordinator

**City of Merced
Allocation List**

Department	Division	Employee Name	Current Class Title	Final Class Title
Public Works	Water Systems	Downum, Brian	PWS-Water	PWS-Water
Public Works	Water Systems	Gouveia, Anthony	Instrumentation and Electrical Technician	Instrumentation Control and Electrical Technician
Public Works	Water Systems	Brown, Carl	Lead - PW Water	Lead - PW Water
Public Works	Water Systems	Jeppesen Jr, Robert	Lead - PW Water	Lead - PW Water
Public Works	Water Systems	Loftis, Robert	Pump Operator	Water Systems Operator
Public Works	Water Systems	Santillan, Jesus	Pump Operator	Water Systems Operator
Public Works	Water Systems	Schortzmann, Timothy	Pump Operator	Water Systems Operator
Public Works	Water Systems	Bourbon, Randy	Water Systems Technician III	Water Distribution Operator III
Public Works	Water Systems	Gray, Gabriel	Water Systems Technician III	Water Distribution Operator III
Public Works	Water Systems	Ledford, Joshua	Water Systems Technician III	Water Distribution Operator III
Public Works	Water Systems	Mariano, David	Water Systems Technician III	Water Distribution Operator III
Public Works	Water Systems	Montes Jr, Jesus	Water Systems Technician III	Water Distribution Operator III
Public Works	Water Systems	Rigers, Curtis	Water Systems Technician III	Water Distribution Operator III
Public Works	Water Systems	Vacancy - Carmo, Richard	Water Systems Technician II	Water Distribution Operator II
Public Works	Water Systems	Clamp, Mark	Water Systems Technician II	Water Distribution Operator II
Public Works	Water Systems	Vacancy - Glaser, William	Water Systems Technician II	Water Distribution Operator II
Public Works	Water Systems	Hernandez, Homero	Water Systems Technician II	Water Distribution Operator II
Public Works	Water Systems	Mattos, Raymond	Water Systems Technician II	Water Distribution Operator II
Public Works	Water Systems	Muratore, Ted	Water Systems Technician II	Water Distribution Operator II
Public Works	Water Systems	Salters, Jason	Water Systems Technician II	Water Distribution Operator II
Public Works	Water Systems	Vacancy - Art Ruiz,	Water Systems Technician I	Water Distribution Operator I
Public Works	Water Systems	Vacancy - Robert Loftis,	Water Systems Technician I	Water Distribution Operator I
Public Works	Water Systems	Hicks, Gary	Water Systems Technician I	Water Distribution Operator I
Public Works	Water Systems	Houck, Matthew	Water Systems Technician I	Water Distribution Operator I
Public Works	Water Systems	Ingram, Gary	Water Systems Technician I	Water Distribution Operator I
Public Works	Water Systems	Silva, Vince	Water Systems Technician I	Water Distribution Operator I
Public Works	Water Systems	Ables, Deven	Water Systems Technician I	Water Distribution Operator I
Public Works	Water Systems	Vaughn, Philip	Water Systems Technician I	Water Distribution Operator I
Public Works	Water Systems	Ghaleb, Basant	PWS - Lab/Environmental Control	PWS - Laboratory
Public Works	Water Systems	Vacancy - Hanson Jr, James	Laboratory Technician III	Laboratory Technician III
Public Works	Water Systems	Glaser, William	Cross Connections Control Specialist	Cross Connections Control Specialist
Public Works	Water Systems	Carmo, Richard	Fabrication Tech/Storekeeper	Fabrication Tech/Storekeeper
Public Works	Water Systems	Vacancy - New Position Fy17.18,	Finance Liaison	Finance Liaison
Public Works	WWTP	Osmer, William	PWM - Wastewater	PWM - Wastewater
Public Works	WWTP	Vasquez Sr, Michael	WWTP Maintenance Supervisor	WWTP Maintenance Supervisor
Public Works	WWTP	Gobler, Steven	Instrumentation and Electrical Technician	Instrumentation Control and Electrical Technician
Public Works	WWTP	Vacancy - Cruz, Arturo	Maintenance Electrician	Maintenance Electrician
Public Works	WWTP	Vacancy - New Position Fy17.18,	WWTP Maintenance Electrician/Mechanic	WWTP Maintenance Electrician/Mechanic
Public Works	WWTP	Vacancy - New Position Fy17.18,	WWTP Maintenance Electrician/Mechanic	WWTP Maintenance Electrician/Mechanic
Public Works	WWTP	Cook, Duane	WWTP Mechanic II	WWTP Mechanic II

**City of Merced
Allocation List**

Department	Division	Employee Name	Current Class Title	Final Class Title
Public Works	WWTP	Vacancy - Quinn, Grant	WWTP Mechanic II	WWTP Mechanic II
Public Works	WWTP	Riedeman, Keith	WWTP Operations Supervisor	WWTP Operations Supervisor
Public Works	WWTP	Slagter, Charles	WWTP Operations Supervisor	WWTP Operations Supervisor
Public Works	WWTP	Brown, Michael	WWTP Operator III	WWTP Operator III
Public Works	WWTP	Vacancy - Gallegos III, Peter	WWTP Operator III	WWTP Operator III
Public Works	WWTP	King, Jay	WWTP Operator III	WWTP Operator III
Public Works	WWTP	Loftis, John	WWTP Operator III	WWTP Operator III
Public Works	WWTP	Vacancy - Trevino, Antonio	WWTP Operator III	WWTP Operator III
Public Works	WWTP	Kazmierski, Robert	WWTP Operator II	WWTP Operator II
Public Works	WWTP	Purslow, Adam	WWTP Operator II	WWTP Operator II
Public Works	WWTP	Silva, Jeffrey	WWTP Operator II	WWTP Operator II
Public Works	WWTP	Telesco, James	WWTP Operator II	WWTP Operator II
Public Works	WWTP	Vacancy - Nancy Brissenden ,	WWTP Operator I	WWTP Operator I
Public Works	WWTP	Honnette, Randall	Land Application Program Lead	Lead Land Application
Public Works	WWTP	Surles, Jesse	Maintenance Worker II	Land Application Worker II
Public Works	WWTP	Cadiente, Michelle	Laboratory Technician II	Laboratory Technician II
Public Works	WWTP	Jimenez, Magali	Laboratory Technician I	Laboratory Technician I
Public Works	Environmental Treatment	Vacancy - Carrasquillo, Lorraine	PWS - Lab/Environmental Control	PWS - Environmental Compliance
Public Works	Environmental Treatment	Geiger, Jeremy	Environmental Control Officer II	Environmental Compliance Officer II
Public Works	Environmental Treatment	Ball, Elizabeth	Environmental Control Officer I	Environmental Compliance Officer I
Public Works	Environmental Treatment	Grissom, Mary	Environmental Control Officer I	Environmental Compliance Officer I
Public Works	Environmental Treatment	Davis, Elyse	Secretary I	Administrative Assistant I
Public Works	Wastewater Systems	Chaparro, Richard	PWS-Main Sewers/Storm Drains	PWS-Sewers/Storm Drains
Public Works	Wastewater Systems	Moore, Richard	Maintenance Electrician	Maintenance Electrician
Public Works	Wastewater Systems	Padilla Jr, Joe	Lead Main Sewers / Storm Drains	Lead Sewers/Storm Drains
Public Works	Wastewater Systems	Garibay, Armando	Collection System Worker III	Sewers/Storm Drains Worker III
Public Works	Wastewater Systems	Olmos, Victor	Collection System Worker III	Sewers/Storm Drains Worker III
Public Works	Wastewater Systems	Vacancy - Padilla Jr, Joe	Collection System Worker III	Sewers/Storm Drains Worker III
Public Works	Wastewater Systems	Rios, Emmanuel	Collection System Worker III	Sewers/Storm Drains Worker III
Public Works	Wastewater Systems	Bondurant, Lyle	Collection System Worker II	Sewers/Storm Drains Worker II
Public Works	Wastewater Systems	Destasio, AJ	Collection System Worker II	Sewers/Storm Drains Worker II
Public Works	Wastewater Systems	Weaver, David	Collection System Worker II	Sewers/Storm Drains Worker II
Public Works	Wastewater Systems	Barajas, Armando	PW - Sewer Coll Syst Worker	Sewers/Storm Drains Worker I
Public Works	Wastewater Systems	Vacancy - Colvin, Darin	PW - Sewer Coll Syst Worker	Sewers/Storm Drains Worker I
Public Works	Wastewater Systems	Vacancy - Mattos, James	PW - Sewer Coll Syst Worker	Sewers/Storm Drains Worker I
Public Works	Wastewater Systems	Vacancy - Souza, Eric	PW - Sewer Coll Syst Worker	Sewers/Storm Drains Worker I
Public Works	Wastewater Systems	Buessing, Dylan	Sewer And Storm Drain Collection Sys Worker	Sewers/Storm Drains Worker I
Public Works	Wastewater Systems	Donahue, Thomas	Sewer And Storm Drain Collection Sys Worker	Sewers/Storm Drains Worker I
Public Works	Wastewater Systems	Kindberg, Carl	Sewer And Storm Drain Collection Sys Worker	Sewers/Storm Drains Worker I
Public Works	Wastewater Systems	Reyes, Zachary	Sewer And Storm Drain Collection Sys Worker	Sewers/Storm Drains Worker I

**City of Merced
Allocation List**

Department	Division	Employee Name	Current Class Title	Final Class Title
Public Works	Wastewater Systems	Woods, William	Sewer And Storm Drain Collection Sys Worker	Sewers/Storm Drains Worker I
Public Works	Wastewater Systems	Yarbrough, Matthew	Maintenance Worker II	Maintenance Worker II
Recreation & Parks Admin	Administration	Vacancy - New Position Fy17.18,	Director of Parks And Recreation	Director of Parks and Recreation
Recreation & Parks Admin	Administration	Chavez, Joseph	Recreation Supervisor	Recreation Supervisor
Recreation & Parks Admin	Administration	Meissonnier, Jennifer	Recreation Supervisor	Recreation Supervisor
Recreation & Parks Admin	Administration	Kindavong, Lamguene	Recreation Coordinator	Recreation Coordinator
Recreation & Parks Admin	Administration	Segura, Irene	Recreation Coordinator	Recreation Coordinator
Recreation & Parks Admin	Administration	Esquivel, Matthew	Park Worker I	Park Worker I
Recreation & Parks Admin	Zoo	Mcdowell, Donna	Lead Zoo Keeper	Lead Zoo Keeper
Recreation & Parks Admin	Zoo	Moreno, Joshua	Zoo Keeper	Zoo Keeper
Support Services	Administration	Proctor, Deneen	Director of Support Services	Director of Human Resources
Support Services	Personnel	Hoyt, Michelle	Personnel Coordinator	Human Resources Analyst
Support Services	Personnel	Fierro, Suzanne	Personnel Technician III	Human Resources Technician III
Support Services	Insurance Administration	Kindred-Winzer, Rosa	Insurance Coordinator	Risk Analyst
Support Services	Insurance Administration	Fuentes, Margaret	Personnel Technician I	Human Resources Technician I



ADMINISTRATIVE REPORT

Agenda Item H.7.

Meeting Date: 7/15/2019

Report Prepared by: Stephani Davis, Development Services Technician II, Planning Division

SUBJECT: Approval of City-Owned Real Property Use Request #19-11 by the Mercy Medical Center Merced Foundation to Reserve the Use of Portions of the Merced Municipal Airport from Friday, September 27, 2019, at 8:00 a.m. to Sunday, September 29, 2019, at 2:00 p.m.; to Host Their Biennial Fundraising Gala, to be Scheduled for Saturday, September 28, 2019, from 5:30 p.m. to 12:00 a.m.

REPORT IN BRIEF

Considers approving a request by the Mercy Medical Center Merced Foundation to allow the use of portions of the Merced Municipal Airport from Friday, September 27, 2019, at 8:00 a.m. to Sunday, September 29, 2019, at 2:00 p.m. for the set-up, the event, and the clean-up of the Foundation's biennial fundraising gala, to include the serving of alcohol.

RECOMMENDATION

City Council - Adopt a motion approving the exclusive use of portions of the Merced Municipal Airport from Friday, September 27, 2019, at 8:00 a.m. to Sunday, September 29, 2019, at 2:00 p.m., as requested by the Mercy Medical Center Merced Foundation, for their biennial fundraising gala (includes the serving of alcohol); subject to the conditions outlined in the administrative report.

ALTERNATIVES

1. Approve, as recommended by staff; or,
2. Approve, with modifications; or,
3. Deny the request completely; or,
4. Refer to staff for reconsideration of specific items as requested by Council; or,
5. Continue to a future City Council meeting (date and time to be specified in the motion).

AUTHORITY

Merced Municipal Code, Section 9.12.020 - Serving or drinking liquors on street:

"It is unlawful, and a misdemeanor, subject to punishment in accordance with Chapter 1.12 of the code, for any person to serve, drink, consume, or have in his/her possession an open container containing any spirituous, vinous, malt, or any other intoxicating liquors in or upon any of the streets, sidewalks, alley, parks, parking lots, or any public place in the City, unless otherwise permitted by the Merced Municipal Code or authorized by the city council."

CITY COUNCIL PRIORITIES

Not applicable.

DISCUSSION

The Mercy Medical Center Merced Foundation is requesting approval for use of portions of the Merced Municipal Airport for their biennial fundraiser gala from Friday, September 27, 2019, at 8:00 a.m. to Sunday, September 29, 2019, at 2:00 p.m. (includes set-up and clean-up times).

The event itself will occur on Saturday, September 28, 2019, from 5:30 p.m. to 12:00 a.m. and will include a plated-catered dinner, free casino game play, alcoholic beverage service, a formal event program, and live music entertainment. Funds raised from the event will benefit the Mercy Foundation Heritage Endowment.

The event will begin set-up for the event on Friday, September 27, at 8:00 a.m., with the event itself scheduled to run from 5:30 p.m. to 12:00 a.m. on Saturday, September 28. The event will be set up along the eastern end of a taxiway that runs parallel to Falcon Way, where airplane hangars are located (Attachments 1 and 2). This event will not affect the operations of the Airport or the main runway where planes land and depart. Use of the City property includes a 288-square-foot stage for the live music, approximately 81 tables with chairs for guest seating during the dinner on the taxiway, 3 bar areas (a cigar, scotch, and grand bar), 2 portable restroom trailers, one hangar to house the free casino play, and a table for guest check-in/registration at the main entry point (Attachment 2 and 4).

The event sponsor will be using a service club to assist with the directing of cars within the proper parking area (Attachment 3).

Security is required for the event at a minimum of one guard per fifty guests, per Merced Police Department requirements. Security staff will be responsible for patrolling the perimeter and interior of the event throughout its duration.

On the day following the event, September 29, 2019, all structures will be taken down, and the property will be cleaned up, in order to be completely finished with use by the requested end time of 2:00 p.m.

Conditions of Approval:

1. Prior to engaging in the event, Event Sponsor shall provide the City with a Certificate of Liability Insurance evidencing coverage in an amount of no less than \$500,000 for property damage and \$500,000 for personal injury or a minimum combined single limit coverage of \$500,000. Said policy shall stipulate that this insurance will operate as primary insurance and that no other insurance will be called on to cover a loss covered thereunder. Additional insured endorsements evidencing this coverage, naming the City of Merced, its Officers, Employees, and Agents as additional insureds, must be submitted to the City prior to the event. This certificate shall provide that thirty (30) days written notice of cancellation shall be given to the City. If the Event Sponsor has any employee(s), full workers' compensation insurance shall be provided with a limit of at least \$100,000 for any one person as required by law.

2. Event sponsor shall remove all structures, debris, and any other event-generated items from the property and surrounding areas by 2:00 p.m. on Sunday, September 29, 2019, the day following the event.
3. Event sponsor shall be responsible for making arrangements with the City's Public Works Refuse Department's staff to deliver and remove refuse containers for use during the event and for any necessary clean-up afterwards.
4. Event sponsor shall comply with all applicable statutes, ordinances, rules, regulations, etc., including all regulations of the City of Merced Fire Department, including obtaining permit(s) for any tents or canopies used for the event.
5. All provisions of the Fire Code shall apply. This includes, but is not limited to, posting no-smoking signs in any tented areas as required, no parking within 20 feet of any tent, all requirements for any cooking in a tent, and including any temporary and portable electrical power supplies that may be used.
6. Event sponsor shall provide adequate supervision and security throughout the area to ensure the safety of the participants and the public, as required by the Merced Police Department. At minimum, security guards shall be provided at one officer per 50 attendees.
7. Event sponsor and its caterers shall comply with all requirements of the Merced County Health Department with regards to the serving of food.
8. Event sponsor shall ensure that any independent vendors, such as portable toilet rental companies, photo booth vendors, bartenders, and caterers, obtain or hold current business licenses with the City of Merced.
9. The event sponsor shall provide access to disabled-accessible restrooms, as required by the California Building Code.
10. Alcoholic beverages may be served during this event, subject to the strict rules, regulations, and restrictions of the California Alcohol Beverage Control.

IMPACT ON CITY RESOURCES

The event sponsors will be providing their own generators, so City electricity will not be impacted.

Event attendees and event staff will be using an open lot within the Merced Municipal Airport property on the evening of the event (Attachment 3).

Vehicle traffic is not expected to be affected; therefore, no traffic control services are necessary. The event will not impact the operations of the Airport.

The Airport Manager is in support of this event.

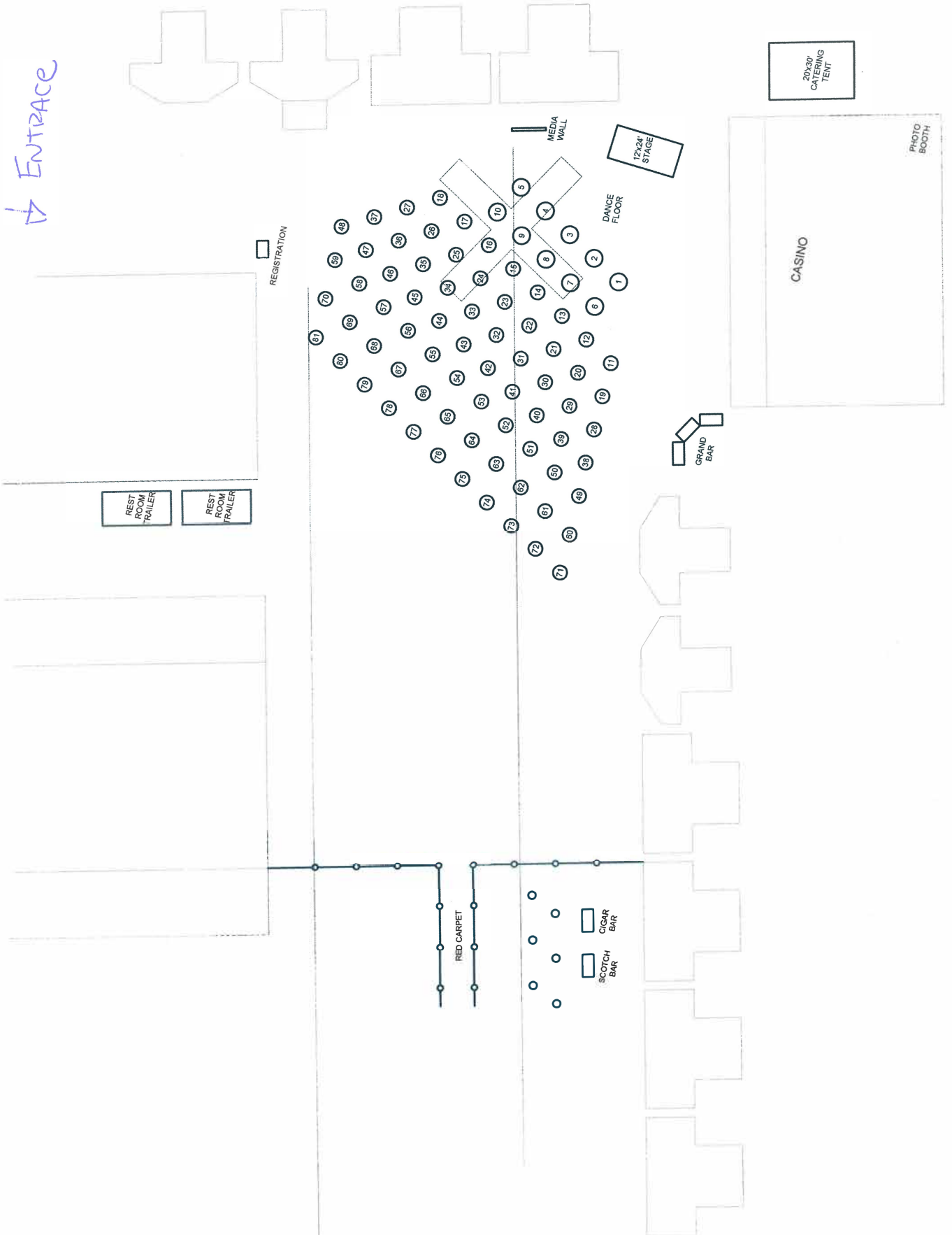
ATTACHMENTS

1. Location Map/Airport Map
2. Site Plan (Gala Event)
3. Site Plan (Event Parking)
4. Event Description



condor Dr.

ENTRANCE





Condor Dr.

ENTRANCE



REGISTRATION

REST ROOM TRAILER

REST ROOM TRAILER

MEDIA WALL

12'x24' STAGE

DANCE FLOOR

CASINO

PHOTO BOOTH

GRAND BAR

RED CARPET

CIGAR BAR

SCOTCH BAR

RECEIVED

CITY OF MERCED
PLANNING DEPT.
JUL 11 2011

← Z



Type of Use/Description of Event

The Mercy Medical Center Merced Foundation is requesting approval to use Merced Municipal Airport for our biennial fundraising Gala scheduled for Saturday, September 28, 2019. The event will run from 5:30 pm to 12:00 am. The event will include a plated-catered dinner, free casino game play, alcoholic beverage service, a formal event program, as well as live music entertainment. Funds raised from this event will benefit the Mercy Foundation Heritage Endowment.

Event set up will begin at approximately 8:00 am on Friday, September 27, and event cleanup will conclude at approximately 2:00 pm on Sunday, September 29. As shown in the site plan, the event will include a stage, tables for guest seating, portable restroom trailers, a grand bar, a catering station, and indoor casino games. Security guards will be responsible for patrolling the perimeter and interior of the event during the event itself. A service club will be assisting with event parking.



ADMINISTRATIVE REPORT

Agenda Item H.8.

Meeting Date: 7/15/2019

Report Prepared by: Francisco Mendoza-Gonzalez, Associate Planner, Development Services

SUBJECT: Adoption of Resolution Declaring the Intent to Abandon a Storm Drainage Easement and Street Light Easement at 1368 Griffin Street, Generally Located on the East Side of Griffin Street, Approximately 525 Feet North of McSwain Road, and Setting a Public Hearing for August 19, 2019 (Vacation #19-03)

REPORT IN BRIEF

Considers the abandonment of an old storm drainage easement and street light easement at 1368 Griffin Street.

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2019-39**, a Resolution of the City Council of the City of Merced, California, declaring its intention to vacate a Storm Drainage Easement and Street Light Easement at 1368 Griffin Street, generally located on the east side of Griffin Street, approximately 525 feet north of McSwain Road (Vacation #19-03), and setting the time and place for a public hearing.

ALTERNATIVES

1. Approve, as recommended by staff; or,
2. Approve, subject to modifications as conditioned by Council; or,
3. Deny based on specific findings; or,
4. Refer back to staff for reconsideration of specific items as requested by Council; or,
5. Continue to a future meeting (date and time to be specified in Council motion).

AUTHORITY

Part 3, Chapter 3 of the Streets and Highways Code of the State of California authorizes the City Council to vacate a right-of-way or easement. The vacation shall be made by adoption of a resolution pursuant to Section 8335 of the Code, and shall be recorded pursuant to Section 8336. The City of Merced Administrative Policies and Procedures No. A-6 provides direction to staff for processing vacation requests, and City Resolution 86080 establishes a policy concerning costs associated with the vacation.

CITY COUNCIL PRIORITIES

Not applicable.

DISCUSSION

Request

The subject site is a vacant 0.31-acre parcel zoned Low Density Residential (R-1-6) principally reserved for single-family homes (Attachment 1). The applicant is in the process of developing a home on this parcel. However, the old Street Light Easement and Storm Drain Easement prohibit the applicant from constructing any structures within 15 feet of the easements. This results in a significant amount of undevelopable land that makes it difficult for a design professional to design a conventional and practical floor plan for this site.

The old storm drain easement was originally dedicated to Merced County for storm drain purposes when this area was located within Merced County jurisdiction. However, this area is now within the City limits, and the storm drain easement dedication rights have now been transferred to the City. The City's Engineering and Public Works Departments have reviewed this application and have determined that the City does not need the old Storm Drain Easement. The City has installed storm drain utilities around the subject site, within Griffin Street (west of the subject site) and along the Merced Irrigation District (MID) Concrete Lined Canal (north of the subject site), therefore no longer needing the old storm drain easement (see lines drawn at Attachment 4). In addition, MID has indicated that they do not object to vacating this storm drain easement.

The old Street Light Easement was initially intended to allow for power to be drawn from existing telephone/power poles along the eastern property line to power a street light at the end of Griffin Street. However, over the past few decades several lots in this neighborhood have been improved or developed. During that time, several street lights have been installed throughout Griffin Street, including a street light directly across the street from the subject site (Attachment 5). Because there is already a street light at the end Griffin Street, the City has determined that another street light is not needed and that the old street light easement should be abandoned.

After contacting all utility companies in the area, it was determined that no utilities were located within the Storm Drain Easement, and there are no plans to use the easement in the future. There is a utility pole within the street light easement, but it can be relocated as it is no longer needed for a street light. Therefore, these easements are no longer needed and should be abandoned to give the property owners full use of their property.

History and Past Actions

At the Planning Commission meeting of June 5, 2019, the Planning Commission reviewed the vacation for consistency with the City's General Plan and found, by unanimous vote of those present, that the proposed vacation does not conflict with any General Plan policies, text, or maps, and is, therefore, consistent with the General Plan.

Recommendation

Staff is recommending the adoption of the Resolution at Attachment 6 to vacate the storm drainage easement and street light easement as described above.

IMPACT ON CITY RESOURCES

The approval of the requested vacation would not result in any impacts on City resources.

ATTACHMENTS

1. Location Map
2. Legal Description
3. Parcel Map
4. Storm Drain Lines
5. Existing Street Light
6. Draft City Council Resolution #2019-39

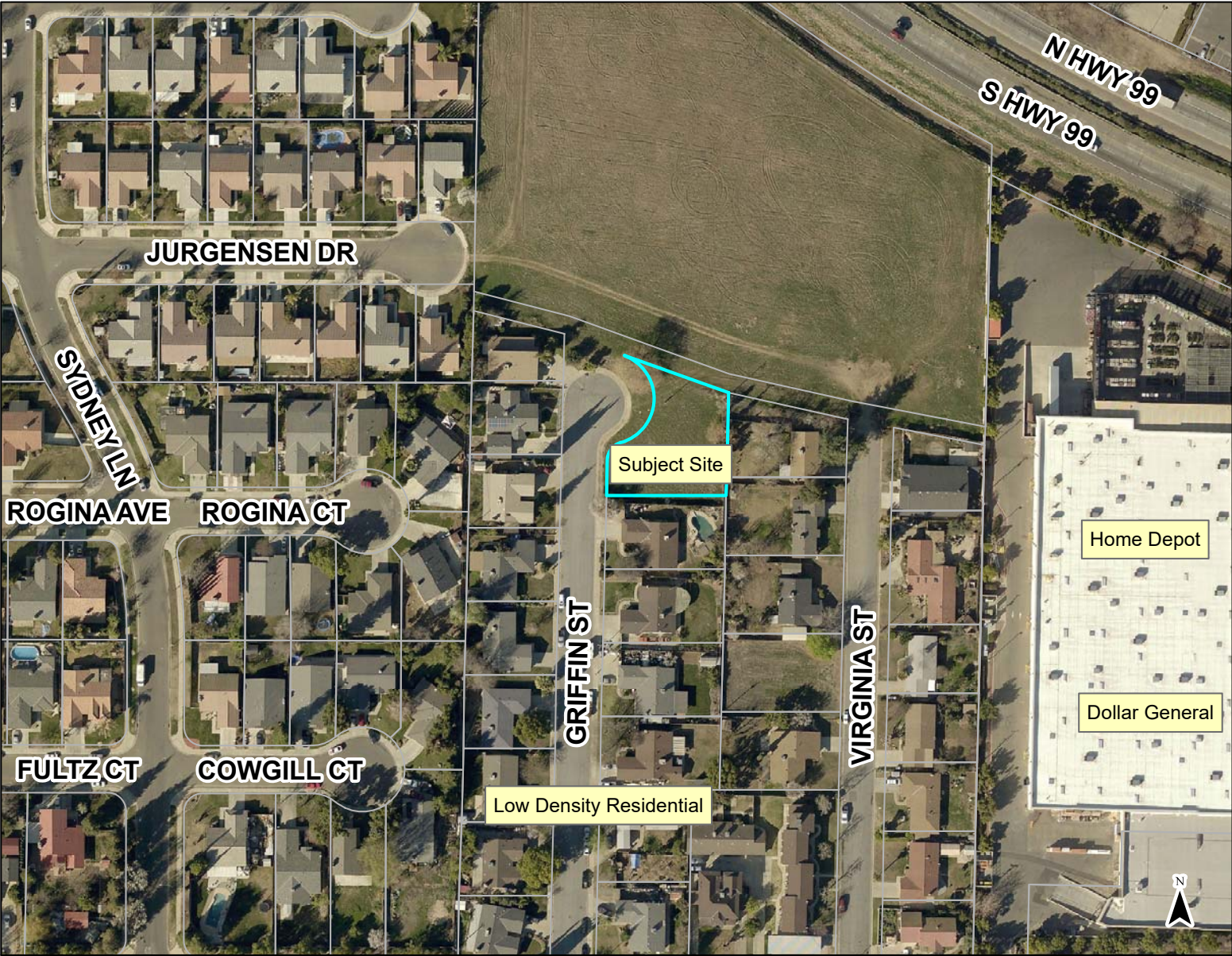


EXHIBIT "A"

STORM DRAINAGE EASEMENT ABANDONMENT AND
STREET LIGHTING EASEMENT ABANDONMENT

DESCRIPTION

STORM DRAINAGE EASEMENT

A storm drain easement to be abandoned, situate in Section 23, Township 7 South, Range 14 East, Mount Diablo Base and Meridian, in the City of Merced, State of California; said storm drain easement shown as Parcel "A" on that certain map entitled Parcel Map for Marion C. East, recorded in Book 37 of Parcel Maps, at Page 30, Merced County Records.

10.00 FOOT WIDE STREET LIGHTING EASEMENT

A 10.00 foot wide street lighting easement, being the south 5.00 feet of Lot 21 and the north 5.00 feet of Lot 20 as shown on the "Map of Griffin Subdivision", recorded in Volume 14 of Official Plats at Page 37, Merced County Records; said easement lines terminates on the west line of the 20 foot Public Utility Easement.

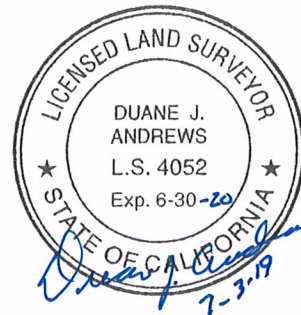
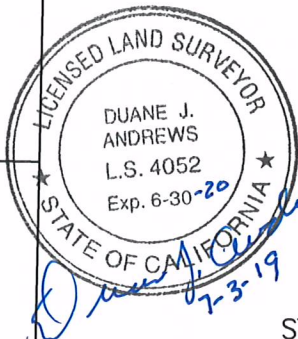
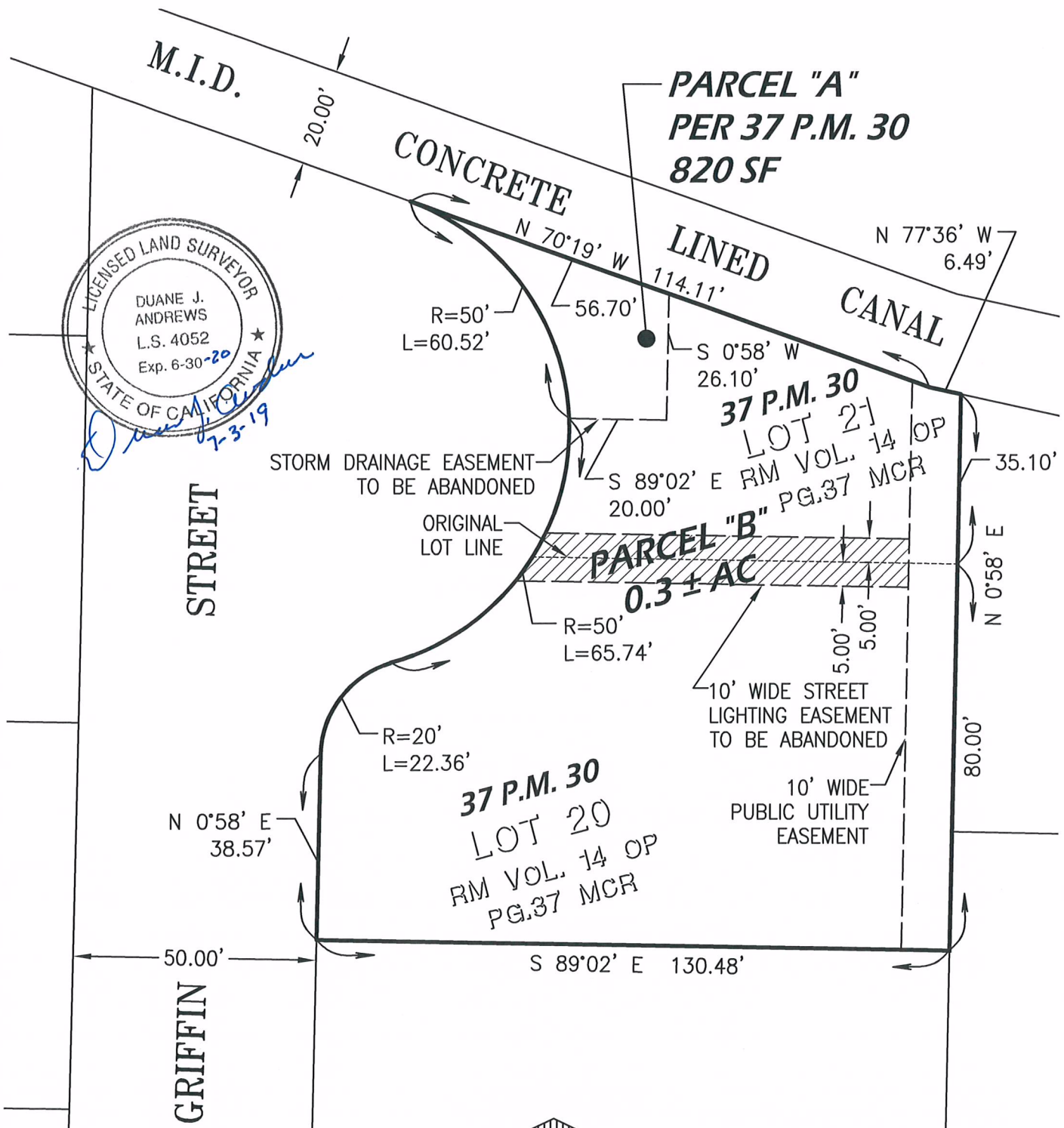


EXHIBIT 'B'



GOLDEN VALLEY
ENGINEERING & SURVEYING

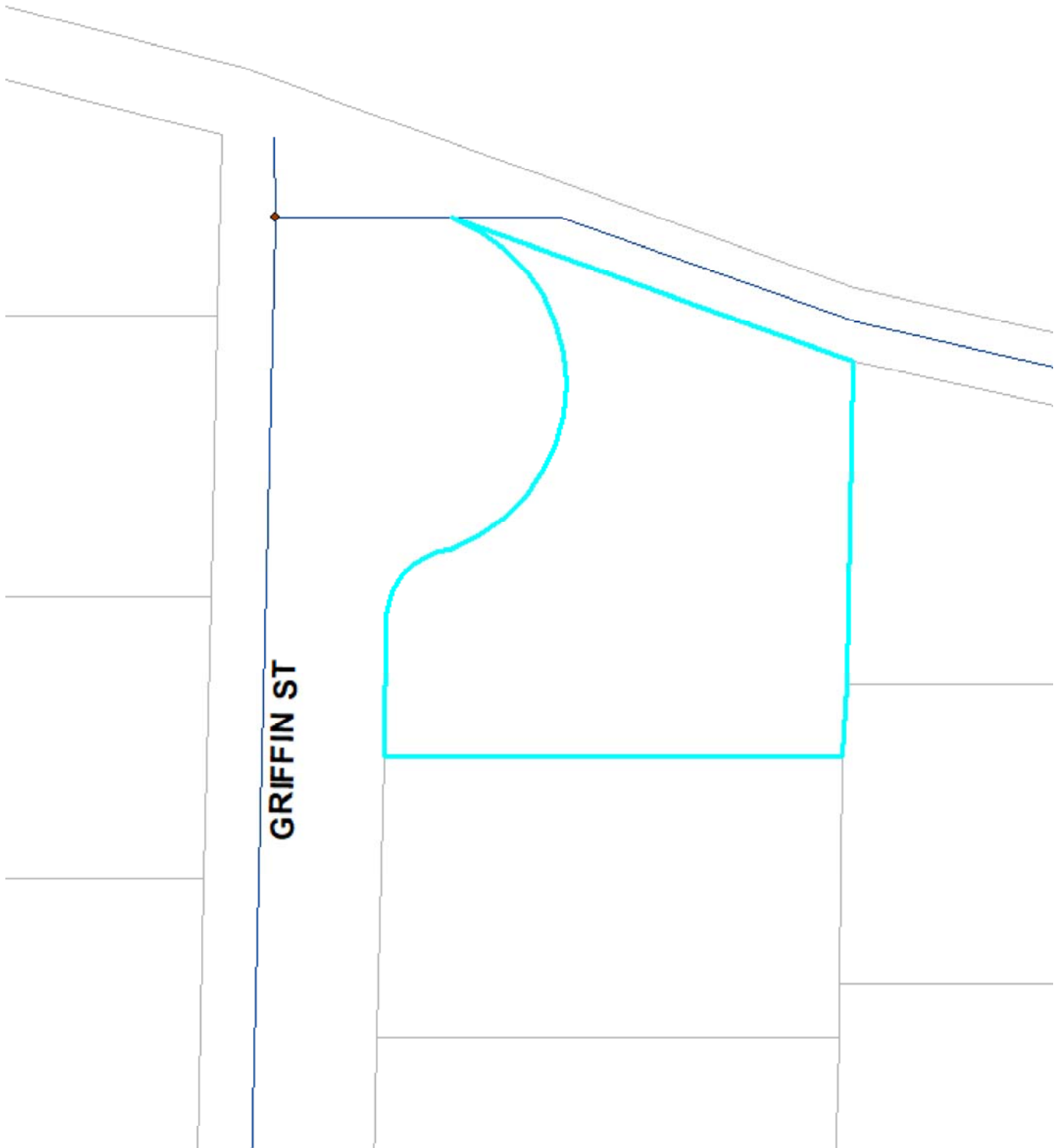
405 W. 19th Street • P.O. Box 349 • Merced, CA 95340
Phone (209) 722-3200 • Fax (209) 722-3254

Job No. 19072

Date: 7/3/2019

EXHIBIT 'B'
Exhibit Map for "Abandonment of Storm Drainage Easement"
and "Street Light Easement", situated in Section 23, T.7S.,
R.14E., M.D.B.&M., in the City of Merced, State of California

Storm Drain Lines





RESOLUTION NO. 2019-_____

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA,
DECLARING ITS INTENTION TO VACATE A
STORM DRAINAGE EASEMENT AND STREET
LIGHT EASEMENT AT 1368 GRIFFIN STREET,
GENERALLY LOCATED ON THE EAST SIDE OF
GRIFFIN STREET, APPROXIMATELY 525 FEET
NORTH OF MCSWAIN ROAD (VACATION #19-
03) AND SETTING TIME AND PLACE FOR
PUBLIC HEARING**

WHEREAS, the City Engineer of the City of Merced has recommended that the hereinafter described portions of easements are unnecessary for prospective public purposes; and

WHEREAS, the City Engineer has filed maps or plans with the City Clerk of the City of Merced showing the portions of the easements to be vacated at a specific time that will be determined.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCED DOES HEREBY RESOLVE, DETERMINE, FIND, AND ORDER AS FOLLOWS:

SECTION 1. The City Council of the City of Merced declares its intention to proceed under the provisions of Part 3 of the Streets and Highways Code of the State of California, being the Public Streets, Highways, and Service Easements Vacation Law, Chapter 3, to vacate a storm drainage easement and street light easement at 1368 Griffin Street, generally located on the east side of Griffin Street, approximately 525 feet north of McSwain Road (Vacation #19-03), as described in Exhibit "A" and shown on the map at Exhibit "B" attached hereto and incorporated herein by this reference.

SECTION 2. Reference is made to the maps and plans which are filed in the office of the City Clerk of the City of Merced for further particulars as to the proposed vacation and reservation.

SECTION 3. August 19, 2019, at the hour of 6:00 p.m. of said day in the Council Chamber of the City Council, 678 West 18th Street, Merced, California, is

fixed as the time and place for hearing all persons interested in or objecting to the proposed vacation. Said hearing may be postponed or continued.

SECTION 4. The City Engineer is directed to post or cause to be posted at least two weeks before the date set for hearing not less than two (2) notices of vacation of easements, not more than three hundred (300) feet apart, conspicuously along the lines of said portion of the public street proposed to be vacated, stating adoption of this resolution and the time and place of the hearing herein called. Posting a copy of this resolution shall constitute the posting of the required notice.

SECTION 5. The City Clerk is directed to cause a copy of this Resolution to be published once each week for two successive weeks prior to the public hearing in the official newspaper.

PASSED AND ADOPTED by the City Council of the City of Merced at a regular meeting held on the ____ day of _____ 2019, by the following vote:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

APPROVED:

Mayor

ATTEST:
STEVE CARRIGAN, CITY CLERK

BY: _____
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:

Shaeck A. Hink 7-1-19
City Attorney Date

EXHIBIT "A"

STORM DRAINAGE EASEMENT ABANDONMENT AND
STREET LIGHTING EASEMENT ABANDONMENT

DESCRIPTION

STORM DRAINAGE EASEMENT

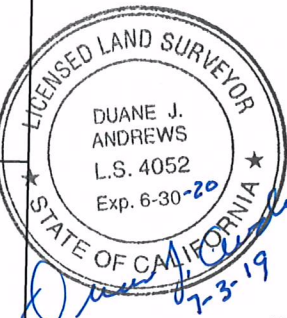
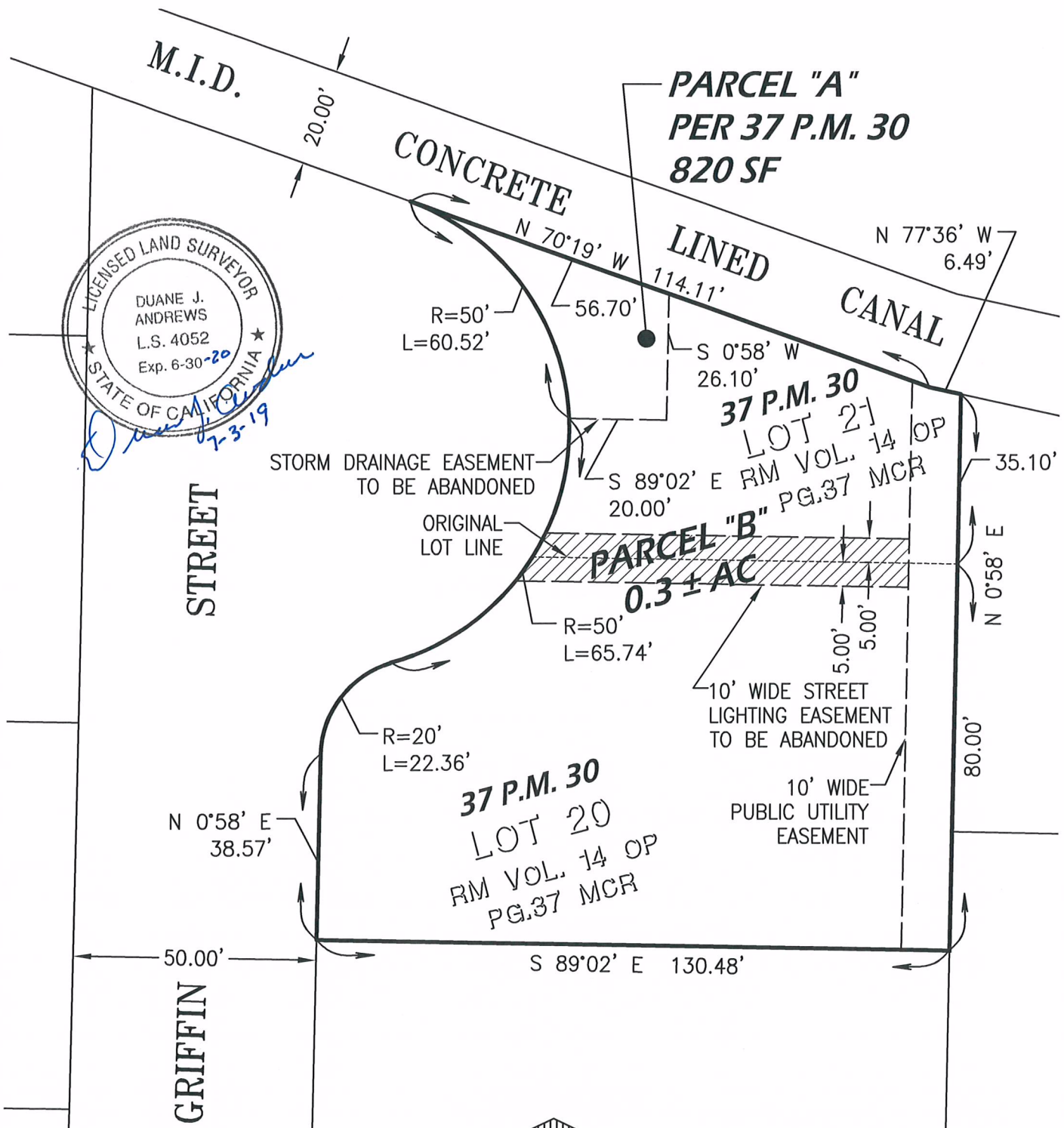
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EXHIBIT 'B'



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Date: 7/3/2019

EXHIBIT 'B'
Exhibit Map for "Abandonment of Storm Drainage Easement"
and "Street Light Easement", situated in Section 23, T.7S.,
R.14E., M.D.B.&M., in the City of Merced, State of California



ADMINISTRATIVE REPORT

Agenda Item H.9.

Meeting Date: 7/15/2019

Report Prepared by: Kim Espinosa, Planning Manager, Development Services Department

SUBJECT: Approval of Second Amendment to the Amended and Restated Contract for Water, Sewer, and Other Services Between the City of Merced and the Regents of the University of California and the First Amendment to the Agreement Affecting Real Property and Covenant to Annex and Authorization to Submit an Application to the Local Agency Formation Commission (LAFCO) to Reflect the Revised Boundary Area

REPORT IN BRIEF

Considers two amendments to contracts with the University of California from 2016 regarding services and annexation to reflect a minor boundary change in the UC Merced Campus site and will also consider authorizing City staff to prepare an application to the Merced County Local Agency Formation Commission (LAFCO) to reflect the revised boundary in the previously-approved Out of Boundary Service Request.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving the Second Amendment to the Amended and Restated Contract for Water, Sewer, and Other Services between the City of Merced and the Regents of the University of California; and,
- B. Approving the First Amendment to the Agreement Affecting Real Property and Covenant to Annex; and,
- C. Authorizing City staff to submit an application to the Merced County Local Agency Formation Commission to amend the previous Out of Boundary Service Request to reflect the revised boundary; and,
- D. Authorizing the Mayor, the City Manager, or the Assistant City Manager to execute the final documents.

ALTERNATIVES

- 1. Approve, as recommended by staff; or,
- 2. Approve, subject to conditions other than recommended by staff; or,
- 3. Deny; or,
- 4. Refer to the City Manager for reconsideration of specific items (specific items to be

addressed in the motion); or,

5. Continue to a future meeting (date and time to be specified in the motion).

AUTHORITY

Merced City Charter, Section 200

CITY COUNCIL PRIORITIES

In 2015-16, approval of the Service Agreement with UC Merced were listed as City Council Priorities.

DISCUSSION

In 2003, the City and University of California Merced ("UC Merced") entered into an out of area urban services agreement ("Original Services Agreement") to provide water and sewer services to Phase 1 of the UC Merced campus. In 2016, the City and UC Merced entered into the "Amended and Restated Contract for Water, Sewer and Other Services" ("Updated Urban Services Agreement") in order to provide services to the UC Merced 2020 Project. On June 14, 2016, the Annexation Agreement (Attachment 5 of the Updated Urban Services Agreement) was executed and recorded. On October 17, 2016, the City Council approved the First Amendment to the Amended and Restated Contract for Water, Sewer and Other Services to allow UC Merced to pay sewer facilities charges over a 4-year period, instead of as a lump sum. These documents can be seen at Attachment 3.

Staff has prepared a Second Amendment to the Amended and Restated Contract for Water, Sewer, and Other Services (Attachment 1) and a First Amendment to the Annexation Agreement (Attachment 2). If adopted, these amendments would only adjust the boundary of the campus maps and revise the language of the corresponding legal description to reflect the boundary adjustment to the service area; they would not increase the acreage within the service area. The current service area is 219 acres and it would remain 219 acres after the boundary adjustment. The proposed amendments would make no other changes to the Amended Contract for Water, Sewer, and Other Services or the Annexation Agreement; all other provisions and obligations of the agreements would remain the same.

If the City Council approves the amendments to the maps and legal descriptions for the updated Urban Services Agreement, the Second Amendment would then be presented to the Merced County Local Agency Formation Commission (LAFCO) for review and approval with the application costs paid for by the University. The First Amendment to Annexation Agreement would also be recorded.

IMPACT ON CITY RESOURCES

The proposed amendments to the maps and legal descriptions for the Updated Urban Services Agreement (i.e. Second Amendment) and Annexation Agreement are non-substantive and would have no impact on existing and future revenue streams to the City's sewer and water enterprise funds.

ATTACHMENTS

1. Second Amendment to the Amended and Restated Contract for Water, Sewer, and Other Services between the City of Merced and the Regents of the University of California

2. First Amendment to the Agreement Affecting Real Property and Covenant to Annex
3. 2016 Amended and Restated Contract for Water, Sewer and Other Services, including First Amendment

**Second Amendment to the
Amended and Restated Contract for Water, Sewer, and Other Services between
the City of Merced and the Regents of the University of California**

THIS SECOND AMENDMENT to the Amended and Restated Contract for Water, Sewer, and Other Services between the City of Merced and the Regents of the University of California ("Second Amendment to the Contract") between the City of Merced, a California Charter Municipal Corporation ("City") and The Regents of the University of California, on behalf of the University of California, Merced campus ("UCM").

WHEREAS, UCM has previously constructed Phase One of the university campus and is presently constructing the Revised 2020 project which are both referred to herein as the Project ("Project"); and

WHEREAS, City and UCM have previously entered into an Amended and Restated Contract for Water, Sewer and Other Services for said Project dated April 29, 2016 ("Urban Services Contract"); and

WHEREAS, City and UCM also entered into the First Amendment to the Amended and Restated Contract for Water, Sewer and Other Services ("First Amendment to the Contract") dated October 17, 2016 in order to modify the terms of payment for said Project; and

WHEREAS, UCM's Project is nearing completion and the City and UCM now desire to enter into the Second Amendment to the Contract to adjust the service boundaries of the relevant campus maps and the language of the corresponding legal descriptions to reflect the service area; and

WHEREAS, the Second Amendment to the Contract only adjusts the service boundaries and does not increase the acreage within the service area.

NOW, THEREFORE, the parties hereto, in consideration of the mutual covenants hereinafter recited, agree as follows:

1. Attachment 4 to the Urban Services Contract containing the "Map of Phase One of the UCM Campus" and the "Map of Revised 2020 Project: UCM Campus--Illustrative of the Boundaries of Revised 2020 Project, UCM Campus Only" is hereby replaced with the revised maps and associated legal descriptions attached hereto and incorporated herein as Amended Attachment 4.

2. Except as herein amended, the Urban Services Contract between the City of Merced and The Regents of the University of California dated April 29, 2016 and the First Amendment to the Contract shall remain in full force and effect.

IN WITNESS HEREOF, the parties hereto have caused this Second Amendment to Contract to be duly executed on the last date written below.

CITY OF MERCED

MAYOR

DATE

ATTEST:

CITY CLERK

APPROVED AS TO FORM



CITY ATTORNEY

THE REGENTS OF THE
UNIVERSITY OF CALIFORNIA

BY:

DATE

AMENDED ATTACHMENT 4

Revised Map of Phase One of the UCM Campus and revised associated legal description

and

Revised Map of Revised 2020 Project: UCM Campus--Illustrative of Boundaries of Revised 2020 Project, UCM Campus Only and revised associated legal description

3224144.1

PHASE 1 - ATTACHMENT 4-A

All that real property situate in the County of Merced, State of California, lying and being within Section 34, Township 6 South, Range 14 East, M.D.M., being a portion of the lands granted to the Regents of the University of California, a California public corporation in that certain grant deed filed in the office of the County Recorder of Merced County as Document No. 2002-012594 and as shown on that certain Record of Survey for the "University of California Merced Campus", filed in the office of the County Recorder of Merced County in Book 37 of Surveys, Pages 23-26 and further being a portion of Parcels 1, 2, and 3, as shown on that certain Parcel Map for "Merced Community Golf Association, being a Division of Parcel 2 according to Parcel Map for Merced County Board of Education as Trustee of the Testamentary Trust of Virginia Smith Book 59 Parcel Maps, Page 1 M.C.R.", filed in the office of the County Recorder of Merced County in Book 83 of Parcel Maps, Pages 9-12 and being more particularly described as follows:

COMMENCING at a 2" iron pipe set in a monument well and accepted as the Southwest corner of said Section 34 as shown on said Record of Survey; thence along the West line of said lands of the Regents of the University of California, North 01°07'48" East, 78.67 feet to the true **POINT OF BEGINNING**; thence continuing along the West and Northwesterly line of said lands of the Regents of the University of California, being also the West and Northwesterly line of said Parcel 2 as shown in Book 59 of Parcel Maps, Page 1 the following eight (8) courses:

1. North 01°07'48" East, 792.89 feet; thence
2. North 55°13'43" East, 243.36 feet; thence
3. North 72°47'31" East, 822.80 feet; thence
4. North 54°05'52" East, 159.13 feet; thence
5. North 35°48'37" East, 372.62 feet; thence
6. North 48°18'50" East, 373.01 feet; thence
7. South 41°40'18" East, 52.28 feet; thence
8. North 49°00'21" East, 289.69 feet; thence

leaving said Northwesterly line and running in a generally Easterly direction the following nine (9) courses:

1. North 79°06'27" East, 286.58 feet; thence
2. North 62°23'58" East, 442.11 feet; thence
3. North 84°18'16" East, 479.34 feet; thence
4. South 69°05'09" East, 232.10 feet; thence
5. North 89°09'17" East, 128.81 feet; thence
6. North 75°29'52" East, 197.31 feet; thence
7. North 36°52'26" East, 16.33 feet; thence
8. South 87°30'48" East, 32.30 feet; thence
9. South 63°30'55" East, 440.18 feet;

thence running in a generally Southerly and Westerly direction along the following forty seven (47) courses:

1. South 05°11'40" West, 74.10 feet; thence
2. South 23°21'25" East, 40.08 feet; thence
3. South 63°26'06" West, 24.62 feet; thence
4. South 00°00'00" West, 65.32 feet; thence
5. South 45°00'01" West, 27.71 feet; thence

PHASE 1 - ATTACHMENT 4-A

6. South 86°18'31" West, 202.92 feet; thence
7. South 65°53'52" West, 271.94 feet; thence
8. South 63°26'04" West, 29.21 feet; thence
9. South 59°02'10" West, 38.09 feet; thence
10. South 07°07'30" West, 52.67 feet; thence
11. South 09°27'45" East, 39.73 feet; thence
12. South 08°07'48" East, 46.19 feet; thence
13. South 29°03'17" East, 67.25 feet; thence
14. South 45°00'00" West, 157.05 feet; thence
15. South 87°42'34" West, 163.44 feet; thence
16. South 59°02'11" West, 76.18 feet; thence
17. South 70°20'46" West, 97.11 feet; thence
18. South 60°15'18" West, 52.67 feet; thence
19. South 45°00'00" West, 36.95 feet; thence continuing
20. South 45°00'00" West, 46.19 feet; thence
21. South 54°27'44" West, 56.19 feet; thence
22. South 28°36'38" West, 81.85 feet; thence
23. South 11°18'36" West, 33.31 feet; thence
24. South 03°34'35" West, 104.72 feet; thence
25. South 36°52'12" West, 65.32 feet; thence
26. South 80°08'03" West, 152.50 feet; thence
27. North 48°00'46" West, 87.88 feet; thence
28. North 78°41'24" West, 66.62 feet; thence
29. South 90°00'00" West, 78.39 feet; thence
30. South 79°59'31" West, 112.77 feet; thence
31. South 55°18'17" West, 103.29 feet; thence
32. South 41°11'09" West, 69.44 feet; thence
33. South 21°02'15" West, 90.99 feet; thence
34. South 12°31'43" West, 60.23 feet; thence
35. South 63°26'06" West, 116.85 feet; thence
36. South 06°20'25" East, 177.46 feet; thence
37. South 77°00'20" West, 87.15 feet; thence
38. South 26°33'54" East, 73.03 feet; thence
39. South 27°24'27" West, 198.67 feet; thence
40. South 83°17'25" West, 111.82 feet; thence
41. South 82°24'19" West, 98.85 feet; thence
42. South 90°00'00" West, 19.60 feet; thence
43. North 85°14'11" West, 78.66 feet; thence
44. South 26°33'55" West, 58.43 feet; thence
45. South 11°18'35" West, 66.62 feet; thence
46. South 08°07'49" West, 46.19 feet; thence
47. South 07°35'41" East, 35.68 feet;

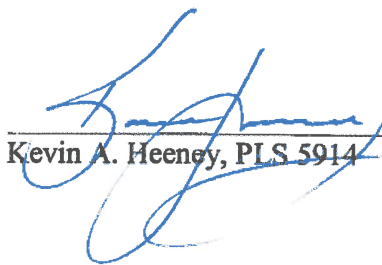
thence parallel with the South line of said Section 34, North 89°50'14" West, 1604.33 feet to the POINT OF BEGINNING, containing 102.00 acres, more or less.

PHASE 1 - ATTACHMENT 4-A

The Basis of Bearings for this description is the California Coordinate System, NAD 83, Zone 3 as defined on that certain Record of Survey filed in the office of the County Recorder of Merced County in Book 37 of Surveys, Pages 23-26. Distances given herein are grid distances. Multiply the grid distance by 1.000045 to obtain ground distances.

End of Description

This description has been prepared by me or under my direct supervision in connection with the University of California, Merced Campus "Phase 1 Project".


Kevin A. Heeney, PLS 5914



05/13/2019
Date

Plat to Accompany Legal Description
 PHASE 1 CAMPUS BOUNDARY
 UNIVERSITY OF CALIFORNIA, MERCED
 BEING A PORTION OF PARCELS 1, 2 & 3
 OF PARCEL MAP BK. 83, PG. 9
 LYING WITHIN
 SECTION 34, T. 6 S., R. 14 E., M.D.M.
 & SECTION 3, T. 7 S., R. 14 E., M.D.M.
 COUNTY OF MERCED



DATE: 05/13/2019

LINE DATA TABLE			
LINE	BEARING	DIST.	DIST.
L37	S77°00'20"W	87.15'	78.66'
L38	S26°33'54"E	73.03'	58.43'
L39	S27°24'27"W	198.67'	66.62'
L40	S83°17'25"W	111.82'	46.19'
L41	S82°24'19"W	98.85'	35.68'
L42	S90°00'00"W	19.60'	

COUNTY OF MERCED

102.00 AC.

POINT OF BEGINNING
 N01°07'48"E
 78.67'
 N01°07'48"E 792.89'
 N55°13'43"E 243.36'
 FOUND 2" IRON PIPE IN MONUMENT WELL ACCEPTED AS SW. CORNER SECTION 34 PER R.S. 37-23
 N89°50'14"W 1604.33'

REGENTS OF THE UNIVERSITY OF CALIFORNIA

REGENTS OF UNIV. OF CALIF.
 PARCEL 2
 P.M. 83-9
 N36°52'26"E
 16.33'



LINE DATA TABLE			
LINE	BEARING	DIST.	DIST.
L1	S05°11'40"W	74.10'	36.95'
L2	S23°21'25"E	40.08'	46.19'
L3	S63°26'06"W	24.62'	56.19'
L4	S00°00'00"W	65.32'	81.85'
L5	S45°00'01"W	27.71'	33.31'
L6	S86°18'31"W	202.92'	104.72'
L7	S65°53'52"W	271.94'	65.32'
L8	S63°26'04"W	29.21'	152.50'
L9	S59°02'10"W	38.09'	87.88'
L10	S07°07'30"W	52.67'	66.62'
L11	S09°27'45"E	39.73'	78.39'
L12	S08°07'48"E	46.19'	112.77'
L13	S29°03'17"E	67.25'	103.29'
L14	S45°00'00"W	157.05'	69.44'
L15	S87°42'34"W	163.44'	90.99'
L16	S59°02'11"W	76.18'	60.23'
L17	S70°20'46"W	97.11'	116.85'
L18	S60°15'18"W	52.67'	177.46'

2020 PROJECT
 CAMPUS BOUNDARY

The boundaries shown hereon do not depict parcel lines, but depict the boundaries of the service area and annex area covered by the Urban Services Agreement and Agreement to Annex.

SHEET 1 OF 1
 OWNER: Regents of the University of California
 JOB No: 13-026-001
 SCALE: 1"=600'

REVISED 2020 PROJECT CAMPUS BOUNDARY - ATTACHMENT 4-C

All that real property situate in the County of Merced, State of California, lying within Section 34, Township 6 South, Range 14 East, M.D.M., as shown on that certain Record of Survey for the "University of California Merced Campus", filed in Book 37 of Surveys, Pages 23-26, Merced County records and being a portion of Parcels 1, 2 and 3, as shown on that certain Parcel Map for "Merced Community Golf Association", filed in Book 83 of Parcel Maps, Pages 9-12, together with a portion of the North One-half of Section 3, Township 7 South, Range 14 East, M.D.M. and being more particularly described as follows:

AREA 1

COMMENCING at a 2" iron pipe set in a monument well and accepted as the Southwest corner of said Section 34 as shown on said Record of Survey; thence along the West and Northwesterly line of said lands of the Regents of the University of California, being also the West and Northwesterly line of said Parcel 1 as shown in Book 83 of Parcel Maps, Page 9 the following seven (7) courses:

1. North 01°07'48" East, 871.56 feet; thence
2. North 55°13'43" East, 243.36 feet; thence
3. North 72°47'31" East, 822.80 feet; thence
4. North 54°05'52" East, 159.13 feet; thence
5. North 35°48'37" East, 372.62 feet; thence
6. North 48°18'50" East, 373.01 feet; thence
7. South 41°40'18" East, 52.28 feet;

thence North 49°00'21" East, 289.69 feet to the **POINT OF BEGINNING**; thence continuing along said West and Northwesterly line of said Parcel 1, North 49°00'21" East, 781.81 feet to a point on the South line of a permanent easement to the Merced Irrigation District for the "Le Grand Canal" per Book 2299, Page 963, Series No. 19713 Official Records of Merced County, hereinafter after referred to as the "Le Grand Canal"; thence along the Southerly line of said "Le Grand Canal" North 69°46'50" East, 596.89 feet; thence leaving the Southerly line of said "Le Grand Canal", South 84°18'16" West, 479.34 feet; thence South 62°23'58" West, 442.11 feet; thence South 79°06'27" West, 286.58 feet to the **POINT OF BEGINNING**, containing 4.062 acres, more or less.

TOGETHER WITH:

AREA 2

BEGINNING at a 2" iron pipe set in a monument well and accepted as the Southwest corner of said Section 34 as shown on said Record of Survey; thence along the West line of said lands of the Regents of the University of California, being also the West line of said Parcel 1 as shown in Book 83 of Parcel Maps, Page 9, North 01°07'48" East, 78.67 feet; thence leaving said West line, South 89°50'14" East, 1,604.33 feet; thence North 07°35'41" West, 35.68 feet; thence North 08°07'49" East, 46.19 feet; thence North 11°18'35" East, 66.62 feet; thence North 26°33'55" East, 58.43 feet; thence South 85°14'11" East, 78.66 feet; thence North 90°00'00" East, 19.60 feet; thence North 82°24'19" East, 98.85 feet; thence North 83°17'25" East, 111.82

REVISED 2020 PROJECT CAMPUS BOUNDARY - ATTACHMENT 4-C

feet; thence North 27°24'27" East, 198.67 feet; thence North 26°33'54" West, 73.03 feet; thence North 77°00'20" East, 87.15 feet; thence North 06°20'25" West, 177.46 feet; thence North 63°26'06" East, 116.85 feet; thence North 12°31'43" East, 60.23 feet; thence North 21°02'15" East, 90.99 feet; thence North 41°11'09" East, 69.44 feet; thence North 55°18'17" East, 103.29 feet; thence North 79°59'31" East, 112.77 feet; thence North 90°00'00" East, 78.39 feet; thence South 78°41'24" East, 66.62 feet; thence South 48°00'46" East, 87.88 feet; thence North 80°08'03" East, 152.50 feet; thence North 36°52'12" East, 65.32 feet; thence North 03°34'35" East, 104.72 feet; thence North 11°18'36" East, 33.31 feet; thence North 28°36'38" East, 81.85 feet; thence North 54°27'44" East, 56.19 feet; thence North 45°00'00" East, 46.19 feet; thence North 45°00'00" East, 36.95 feet; thence North 60°15'18" East, 52.67 feet; thence North 70°20'46" East, 97.11 feet; thence North 59°02'11" East, 76.18 feet; thence North 87°42'34" East, 163.44 feet; thence North 45°00'00" East, 157.05 feet; thence North 29°03'17" West, 67.25 feet; thence North 08°07'48" West, 46.19 feet; thence North 09°27'45" West, 39.73 feet; thence North 07°07'30" East, 52.67 feet; thence North 59°02'10" East, 38.09 feet; thence North 63°26'04" East, 29.21 feet; thence North 65°53'52" East, 271.94 feet; thence North 86°18'31" East, 65.77 feet to a point on the North and East line of a permanent easement to the Merced Irrigation District for the "Fairfield Canal" per Book 2299, Page 963, Series No. 19713 Official Records of Merced County, hereinafter referred to as "Fairfield Canal"; thence leaving said North line, South 59°41'37" East, 209.51 feet to a point on the South and West line of said "Fairfield Canal"; thence along said South line South 61°42'36" East, 53.68 feet; thence along the arc of a curve to the right, having a radius of 25.00 feet, the chord of which bears South 15°58'37" East, 35.80 feet; thence South 29°45'21" West, 172.37 feet; thence South 22°37'44" West, 58.69 feet; thence along the arc of a curve to the right, having a radius of 425.00 feet, the chord of which bears South 35°19'38" West, 186.84 feet; thence South 48°01'32" West, 114.65 feet; thence along an arc of a curve to the left, having a radius of 575.00 feet, the chord of which bears South 45°31'01" West, 50.33 feet; thence leaving the South and West line of line of said "Fairfield Canal", along the arc of a non-tangent curve, concave to the Northeast, with a radius of 141.00 feet and a chord which bears South 83°45'15" East, 198.20 feet; thence North 48°01'32" East, 129.21 feet; thence North 28°03'56" East, 399.23 feet; thence along the arc of a curve to the right, having a radius of 560.00 feet, the chord of which bears North 34°30'52" East, 92.91 feet; thence North 39°16'22" West, 911.25 feet; thence along the arc of a curve to the left, having a radius of 179.00 feet, the chord of which bears North 01°33'50" West, 234.10 feet; thence South 47°35'56" West, 35.40 feet; thence North 42°21'03" West, 104.92 feet; thence South 47°38'57" West, 191.00 feet; thence South 48°29'31" West, 800.33 feet; thence North 05°11'40" East, 21.49 feet; thence North 63°30'55" West, 500.06 feet to a point on the South line of said "Le Grand Canal"; thence along said South line, North 58°24'14" East, 184.24 feet; thence along the arc of a curve to the left, having a radius of 575.00 feet, the chord of which bears North 39°29'03" East, 372.88 feet; thence North 20°33'52" East, 311.34 feet; thence along the arc of a curve to the right, having a radius of 25.00 feet; the chord of which bears North 44°31'14" East, 20.30 feet; thence North 68°28'36" East, 627.36; thence leaving the South line of said "Le Grand Canal", South 42°21'03" East, 435.99 feet; thence South 47°38'57" West, 166.20 feet; thence South 42°21'03" East,

REVISED 2020 PROJECT CAMPUS BOUNDARY - ATTACHMENT 4-C

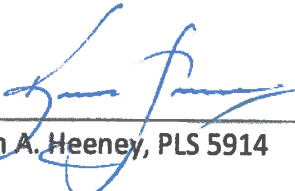
99.82 feet; thence South 47°35'56" West, 34.40 feet; thence along the arc of a non-tangent curve, concave to the West, with a radius 221.00 feet and a chord of which bears South 01°33'50" East, 289.03 feet; thence South 39°16'22" West, 911.25 feet; thence along the arc of a curve to the left, having a radius of 518.00 feet, the chord of which bears South 34°30'52" West, 85.94 feet; thence South 28°03'56" west, 399.23 feet; thence South 28°29'54" West, 307.35 feet; thence along the arc of a curve to the right, having a radius of 321.00 feet, the chord of which bears South 73°22'39" West, 455.17 feet to a point on the West line of said "Fairfield Canal"; thence along said West line, South 30°09'09" West, 62.74 feet; thence South 20°33'52" West, 197.12 feet; thence South 05°42'47" West, 229.16 feet; thence South 04°05'15" East, 202.90 feet; thence along the arc of a curve to the right, having a radius of 25.00 feet, the chord of which bears South 18°39'46" West, 19.34 feet; thence South 41°24'47" West, 112.35 feet; thence along the arc of a curve to the left, having a radius of 175.00 feet, the chord of which bears South 22°12'49" West, 115.10 feet; thence South 03°00'51" West, 65.13 feet to a point on the South line of Parcel 3 as shown in Book 83 of Parcel Maps, Page 9; thence leaving the West line of said "Fairfield Canal" along said South line of Parcel 3, South 89°50'14" East, 78.76 feet; thence leaving said South line, South 02°05'25" West, 772.00 feet; thence West, 1,062.86 feet; thence North 01°02'23" East, 253.08 feet; thence North 89°52'33" West, 2,040.08 feet to a point on the East line of Lake Road; thence along the East line of Lake road, North 01°27'06" East, 523.04 feet the Southwest corner of said Parcel 3; thence North 89°50'14" West, 54.99 feet to the **POINT OF BEGINNING**, containing 112.995 acres, more or less.

The total area contained within the described areas is 117.057 acres, more or less.

The Basis of Bearings for this description is the California Coordinate System, NAD 83, Zone 3 as defined on that certain Record of Survey filed in the office of the County Recorder of Merced County in Book 37 of Surveys, Pages 23-26. Distances given herein are grid distances. Multiply the grid distance by 1.000045 to obtain ground distances.

End of Description

This description has been prepared by me or under my direct supervision.


Kevin A. Heeney, PLS 5914



05/15/2019
Date

ATTACHMENT 4-D

Plat to Accompany Legal Description
2020 PROJECT CAMPUS BOUNDARY
UNIVERSITY OF CALIFORNIA, MERCED
BEING A PORTION OF PARCELS 1, 2 & 3
OF PARCEL MAP BK. 83, PG. 9
LYING WITHIN
SECTION 34, T. 6 S., R. 14 E., M.D.M.
& SECTION 3, T. 7 S., R. 14 E., M.D.M.
COUNTY OF MERCED STATE OF CALIFORNIA



DATE: 08/15/2019

SEE SHEET 2 FOR LINE AND CURVE DATA TABLES

The boundaries shown hereon do not depict parcel lines, but depict the boundaries of the service area and annex area covered by the Urban Services Agreement and Agreement to Annex.



COUNTY OF MERCED

N55°13'43"E

243.36'

N72°47'31"E

822.80'

POINT OF BEGINNING AREA 2

FOUND 2" IRON PIPE IN MONUMENT WELL ACCEPTED AS SW. CORNER SECTION 34 PER R.S. 37-23

N01°07'48"E

78.67'

N01°07'48"E

792.89'

N01°07'48"E

54.99'

N89°50'14"W

54.99'

N01°27'06"E

523.04'

N89°52'33"W

2040.08'

PROPOSED URBAN SERVICE BOUNDARY

UNIVERSITY COMMUNITY LAND CO., LLC

PARCEL 3 P.M. 83-9

112.995 AC.

AREA 2

102.00 AC.

PHASE 1

POINT OF BEGINNING AREA 1

N48°18'50"E

373.01'

S41°40'18"E

52.28'

PARCEL 1 P.M. 83-9

AREA 1 4.062 AC.

POINT OF BEGINNING AREA 1

N69°00'21"E

1071.50'

S79°06'27"W

286.58'

S62°23'58"W

442.11'

S84°18'16"W

479.34'

N58°24'14"E

184.24'

N39°29'03"E

372.88'

R=575.00'

N20°33'52"E

311.34'

PARCEL 2 P.M. 83-9

S42°21'03"E

435.99'

S67°38'57"W

191.00'

S39°16'22"W

911.25'

S39°16'22"W

911.25'

S28°03'56"W

399.23'

S28°29'54"W

307.35'

R=321.00'

S73°22'39"W

455.17'

S30°09'09"W

62.74'

S20°33'52"W

197.12'

S05°42'47"W

229.16'

S04°05'15"E

202.90'

R=25.00'

S18°39'46"W

19.34'

R=175.00'

S22°12'49"W

115.10'

S03°00'51"W

65.13'

N89°50'14"W

78.76'

UNIVERSITY COMMUNITY LAND CO., LLC

Original Urban Services Boundary

PARCEL 3 P.M. 83-9

AREA 2 112.995 AC.

PHASE 1 102.00 AC.

POINT OF BEGINNING AREA 1

N48°18'50"E

373.01'

S41°40'18"E

52.28'

PARCEL 1 P.M. 83-9

AREA 1 4.062 AC.

POINT OF BEGINNING AREA 1

N69°00'21"E

1071.50'

S79°06'27"W

286.58'

S62°23'58"W

442.11'

S84°18'16"W

479.34'

N58°24'14"E

184.24'

N39°29'03"E

372.88'

R=575.00'

N20°33'52"E

311.34'

PARCEL 2 P.M. 83-9

S42°21'03"E

435.99'

S67°38'57"W

191.00'

S39°16'22"W

911.25'

S39°16'22"W

911.25'

S28°03'56"W

399.23'

S28°29'54"W

307.35'

R=321.00'

S73°22'39"W

455.17'

S30°09'09"W

62.74'

S20°33'52"W

197.12'

S05°42'47"W

229.16'

S04°05'15"E

202.90'

R=25.00'

S18°39'46"W

19.34'

R=175.00'

S22°12'49"W

115.10'

S03°00'51"W

65.13'

N89°50'14"W

78.76'

UNIVERSITY COMMUNITY LAND CO., LLC

Original Urban Services Boundary

PARCEL 3 P.M. 83-9

AREA 2 112.995 AC.

PHASE 1 102.00 AC.

POINT OF BEGINNING AREA 1

N48°18'50"E

373.01'

S41°40'18"E

52.28'

PARCEL 1 P.M. 83-9

AREA 1 4.062 AC.

POINT OF BEGINNING AREA 1

N69°00'21"E

1071.50'

S79°06'27"W

286.58'

S62°23'58"W

442.11'

S84°18'16"W

479.34'

N58°24'14"E

184.24'

N39°29'03"E

372.88'

R=575.00'

N20°33'52"E

311.34'

PARCEL 2 P.M. 83-9

S42°21'03"E

435.99'

S67°38'57"W

191.00'

S39°16'22"W

911.25'

S39°16'22"W

911.25'

S28°03'56"W

399.23'

S28°29'54"W

307.35'

R=321.00'

S73°22'39"W

455.17'

S30°09'09"W

62.74'

S20°33'52"W

197.12'

S05°42'47"W

229.16'

S04°05'15"E

202.90'

R=25.00'

S18°39'46"W

19.34'

R=175.00'

S22°12'49"W

115.10'

S03°00'51"W

65.13'

N89°50'14"W

78.76'

UNIVERSITY COMMUNITY LAND CO., LLC

Original Urban Services Boundary

PARCEL 3 P.M. 83-9

AREA 2 112.995 AC.

PHASE 1 102.00 AC.

POINT OF BEGINNING AREA 1

N48°18'50"E

373.01'

S41°40'18"E

52.28'

PARCEL 1 P.M. 83-9

AREA 1 4.062 AC.

POINT OF BEGINNING AREA 1

N69°00'21"E

1071.50'

S79°06'27"W

286.58'

S62°23'58"W

442.11'

S84°18'16"W

479.34'

N58°24'14"E

184.24'

N39°29'03"E

372.88'

R=575.00'

N20°33'52"E

311.34'

PARCEL 2 P.M. 83-9

S42°21'03"E

435.99'

S67°38'57"W

191.00'

S39°16'22"W

911.25'

S39°16'22"W

911.25'

S28°03'56"W

399.23'

S28°29'54"W

307.35'

R=321.00'

S73°22'39"W

455.17'

S30°09'09"W

62.74'

S20°33'52"W

197.12'

S05°42'47"W

229.16'

S04°05'15"E

202.90'

R=25.00'

S18°39'46"W

19.34'

R=175.00'

S22°12'49"W

115.10'

S03°00'51"W

65.13'

N89°50'14"W

78.76'

UNIVERSITY COMMUNITY LAND CO., LLC

Original Urban Services Boundary

PARCEL 3 P.M. 83-9

AREA 2 112.995 AC.

PHASE 1 102.00 AC.

POINT OF BEGINNING AREA 1

N48°18'50"E

373.01'

S41°40'18"E

52.28'

PARCEL 1 P.M. 83-9

AREA 1 4.062 AC.

ATTACHMENT 4-D

Plat to Accompany Legal Description
 2020 PROJECT CAMPUS BOUNDARY
 UNIVERSITY OF CALIFORNIA, MERCED
 BEING A PORTION OF PARCELS 1, 2 & 3
 OF PARCEL MAP BK. 83, PG. 9
 LYING WITHIN
 SECTION 34, T. 6 S., R. 14 E., M.D.M.
 & SECTION 3, T. 7 S., R. 14 E., M.D.M.
 COUNTY OF MERCED STATE OF CALIFORNIA



DATE: 05/15/2019

LINE DATA TABLE				
LINE	BEARING	DIST.	LINE	DIST.
L1	N07°35'41"W	35.68'	L28	N45°00'00"E
L2	N08°07'49"E	46.19'	L29	N45°00'00"E
L3	N11°18'35"E	66.62'	L30	N60°15'18"E
L4	N26°33'55"E	58.43'	L31	N70°20'46"E
L5	S85°14'11"E	78.66'	L32	N59°02'11"E
L6	N90°00'00"E	19.60'	L33	N87°42'34"E
L7	N82°24'19"E	98.85'	L34	N45°00'00"E
L8	N83°17'25"E	111.82'	L35	N29°03'17"W
L9	N27°24'27"E	198.67'	L36	N08°07'48"W
L10	N26°33'54"W	73.03'	L37	N09°27'45"W
L11	N77°00'20"E	87.15'	L38	N07°07'30"E
L12	N06°20'25"W	177.46'	L39	N59°02'10"E
L13	N63°26'06"E	116.85'	L40	N63°26'04"E
L14	N12°31'43"E	60.23'	L41	N65°53'52"E
L15	N21°02'15"E	90.99'	L42	N86°18'31"E
L16	N41°11'09"E	69.44'	L43	S59°41'37"E
L17	N55°18'17"E	103.29'	L44	S29°45'21"W
L18	N79°59'31"E	112.77'	L45	S22°37'44"W
L19	N90°00'00"E	78.39'	L46	S48°01'32"W
L20	S78°41'24"E	66.62'	L47	N48°01'32"E
L21	S48°00'46"E	87.88'	L48	N28°03'56"E
L22	N80°08'03"E	152.50'	L49	S47°35'56"W
L23	N36°52'12"E	65.32'	L50	N42°21'03"W
L24	N03°34'35"E	104.72'	L51	N05°11'40"E
L25	N11°18'36"E	33.31'	L52	S47°38'57"W
L26	N28°36'38"E	81.85'	L53	S42°21'03"E
L27	N54°27'44"E	56.19'	L54	S47°35'56"W

CURVE DATA TABLE			
CURVE	RADIUS	CHORD	DIST.
C1	25.00'	S15°58'37"E	35.80'
C2	425.00'	S35°19'38"W	186.84'
C3	575.00'	S45°31'01"W	50.33'
C4	141.00'	S83°45'15"E	198.20'
C5	560.00'	N34°30'52"E	92.91'
C6	179.00'	N01°33'50"W	234.10'
C7	25.00'	N44°31'14"E	20.30'
C8	221.00'	S01°33'50"E	289.03'
C9	518.00'	S34°30'52"W	85.94'

cta Engineering & Surveying

OWNER: Regents of the University of California
 SCALE: 1"=600'
 SHEET 2 OF 2
 JOB No: 13-026-001

**First Amendment to
Agreement Affecting Real Property and Covenant to Annex**

THIS FIRST AMENDMENT to the Agreement Affecting Real Property and Covenant to Annex ("First Amendment") between the City of Merced, a California Charter Municipal Corporation ("City") and The Regents of the University of California, on behalf of the Merced campus ("UCM").

WHEREAS, UCM has previously constructed Phase One of the university campus and is presently constructing the Revised 2020 project which are both referred to herein as the Project ("Project"); and

WHEREAS, City and UCM have previously entered into an Amended and Restated Contract for Water, Sewer and Other Services for said Project dated April 29, 2016 ("Urban Services Contract"); and

WHEREAS, as a condition of UCM receiving sewer and water services from the City, UCM and City entered into the Agreement Affecting Real Property and Covenant to Annex ("Annexation Agreement") on June 14, 2016; and

WHEREAS, UCM's Project is nearing completion and the City and UCM now desire to enter into the First Amendment to the Annexation Agreement to adjust the boundaries of the relevant campus maps and the language of the corresponding legal descriptions to reflect the desired service area; and

WHEREAS, the First Amendment only adjusts the service boundaries and does not increase the acreage within the service area.

NOW, THEREFORE, the parties hereto, in consideration of the mutual covenants hereinafter recited, agree as follows:

1. Exhibit A to the Annexation Agreement containing the "Legal Description of Phase One of the UCM Campus" is hereby replaced with the revised legal description attached hereto and incorporated herein as Amended Exhibit A.

2. Exhibit B to the Annexation Agreement containing the "Map of Phase One of the UCM Campus" is hereby replaced with the revised map attached hereto and incorporated herein as Amended Exhibit B.

3. Exhibit C to the Annexation Agreement containing the "Legal Description of UCM Boundary of the 2020 Project Area" is hereby replaced with the revised legal description attached hereto and incorporated herein as Amended Exhibit C.

4. Exhibit D to the Annexation Agreement containing the "Map of Revised 2020 Project: UCM Campus--Illustrative of Boundaries of Revised 2020 Project, UCM Campus Only" is hereby replaced with the revised map attached hereto and incorporated herein as Amended Exhibit D.

5. Except as herein amended, the Annexation Agreement between the City of Merced and The Regents of the University of California dated June 14, 2016 shall remain in full force and effect.

IN WITNESS HEREOF, the parties hereto have caused this First Amendment to the Annexation Agreement to be duly executed on the last date written below.

CITY OF MERCED

MAYOR

DATE

ATTEST:

CITY CLERK

APPROVED AS TO FORM



CITY ATTORNEY

THE REGENTS OF THE
UNIVERSITY OF CALIFORNIA

BY: _____

DATE _____

AMENDED EXHIBIT A
Legal Description of Phase One of UCM Campus

PHASE 1 - EXHIBIT 'A'

All that real property situate in the County of Merced, State of California, lying and being within Section 34, Township 6 South, Range 14 East, M.D.M., being a portion of the lands granted to the Regents of the University of California, a California public corporation in that certain grant deed filed in the office of the County Recorder of Merced County as Document No. 2002-012594 and as shown on that certain Record of Survey for the "University of California Merced Campus", filed in the office of the County Recorder of Merced County in Book 37 of Surveys, Pages 23-26 and further being a portion of Parcels 1, 2, and 3, as shown on that certain Parcel Map for "Merced Community Golf Association, being a Division of Parcel 2 according to Parcel Map for Merced County Board of Education as Trustee of the Testamentary Trust of Virginia Smith Book 59 Parcel Maps, Page 1 M.C.R.", filed in the office of the County Recorder of Merced County in Book 83 of Parcel Maps, Pages 9-12 and being more particularly described as follows:

COMMENCING at a 2" iron pipe set in a monument well and accepted as the Southwest corner of said Section 34 as shown on said Record of Survey; thence along the West line of said lands of the Regents of the University of California, North 01°07'48" East, 78.67 feet to the true **POINT OF BEGINNING**; thence continuing along the West and Northwesterly line of said lands of the Regents of the University of California, being also the West and Northwesterly line of said Parcel 2 as shown in Book 59 of Parcel Maps, Page 1 the following eight (8) courses:

1. North 01°07'48" East, 792.89 feet; thence
2. North 55°13'43" East, 243.36 feet; thence
3. North 72°47'31" East, 822.80 feet; thence
4. North 54°05'52" East, 159.13 feet; thence
5. North 35°48'37" East, 372.62 feet; thence
6. North 48°18'50" East, 373.01 feet; thence
7. South 41°40'18" East, 52.28 feet; thence
8. North 49°00'21" East, 289.69 feet; thence

leaving said Northwesterly line and running in a generally Easterly direction the following nine (9) courses:

1. North 79°06'27" East, 286.58 feet; thence
2. North 62°23'58" East, 442.11 feet; thence
3. North 84°18'16" East, 479.34 feet; thence
4. South 69°05'09" East, 232.10 feet; thence
5. North 89°09'17" East, 128.81 feet; thence
6. North 75°29'52" East, 197.31 feet; thence
7. North 36°52'26" East, 16.33 feet; thence
8. South 87°30'48" East, 32.30 feet; thence
9. South 63°30'55" East, 440.18 feet;

thence running in a generally Southerly and Westerly direction along the following forty seven (47) courses:

1. South 05°11'40" West, 74.10 feet; thence
2. South 23°21'25" East, 40.08 feet; thence
3. South 63°26'06" West, 24.62 feet; thence
4. South 00°00'00" West, 65.32 feet; thence
5. South 45°00'01" West, 27.71 feet; thence

PHASE 1 - EXHIBIT 'A'

6. South 86°18'31" West, 202.92 feet; thence
7. South 65°53'52" West, 271.94 feet; thence
8. South 63°26'04" West, 29.21 feet; thence
9. South 59°02'10" West, 38.09 feet; thence
10. South 07°07'30" West, 52.67 feet; thence
11. South 09°27'45" East, 39.73 feet; thence
12. South 08°07'48" East, 46.19 feet; thence
13. South 29°03'17" East, 67.25 feet; thence
14. South 45°00'00" West, 157.05 feet; thence
15. South 87°42'34" West, 163.44 feet; thence
16. South 59°02'11" West, 76.18 feet; thence
17. South 70°20'46" West, 97.11 feet; thence
18. South 60°15'18" West, 52.67 feet; thence
19. South 45°00'00" West, 36.95 feet; thence continuing
20. South 45°00'00" West, 46.19 feet; thence
21. South 54°27'44" West, 56.19 feet; thence
22. South 28°36'38" West, 81.85 feet; thence
23. South 11°18'36" West, 33.31 feet; thence
24. South 03°34'35" West, 104.72 feet; thence
25. South 36°52'12" West, 65.32 feet; thence
26. South 80°08'03" West, 152.50 feet; thence
27. North 48°00'46" West, 87.88 feet; thence
28. North 78°41'24" West, 66.62 feet; thence
29. South 90°00'00" West, 78.39 feet; thence
30. South 79°59'31" West, 112.77 feet; thence
31. South 55°18'17" West, 103.29 feet; thence
32. South 41°11'09" West, 69.44 feet; thence
33. South 21°02'15" West, 90.99 feet; thence
34. South 12°31'43" West, 60.23 feet; thence
35. South 63°26'06" West, 116.85 feet; thence
36. South 06°20'25" East, 177.46 feet; thence
37. South 77°00'20" West, 87.15 feet; thence
38. South 26°33'54" East, 73.03 feet; thence
39. South 27°24'27" West, 198.67 feet; thence
40. South 83°17'25" West, 111.82 feet; thence
41. South 82°24'19" West, 98.85 feet; thence
42. South 90°00'00" West, 19.60 feet; thence
43. North 85°14'11" West, 78.66 feet; thence
44. South 26°33'55" West, 58.43 feet; thence
45. South 11°18'35" West, 66.62 feet; thence
46. South 08°07'49" West, 46.19 feet; thence
47. South 07°35'41" East, 35.68 feet;

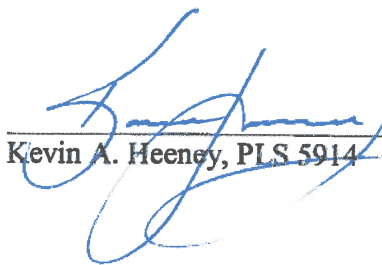
thence parallel with the South line of said Section 34, North 89°50'14" West, 1604.33 feet to the POINT OF BEGINNING, containing 102.00 acres, more or less.

PHASE 1 - EXHIBIT 'A'

The Basis of Bearings for this description is the California Coordinate System, NAD 83, Zone 3 as defined on that certain Record of Survey filed in the office of the County Recorder of Merced County in Book 37 of Surveys, Pages 23-26. Distances given herein are grid distances. Multiply the grid distance by 1.000045 to obtain ground distances.

End of Description

This description has been prepared by me or under my direct supervision in connection with the University of California, Merced Campus "Phase 1 Project".


Kevin A. Heeney, PLS 5914



05/13/2019
Date

AMENDED EXHIBIT B
Map of Phase One of the UCM Campus

Exhibit B

Plat to Accompany Legal Description
 PHASE 1 CAMPUS BOUNDARY
 UNIVERSITY OF CALIFORNIA, MERCED
 BEING A PORTION OF PARCELS 1, 2 & 3
 OF PARCEL MAP BK. 83, PG. 9
 LYING WITHIN
 SECTION 34, T. 6 S., R. 14 E., M.D.M.
 & SECTION 3, T. 7 S., R. 14 E., M.D.M.
 COUNTY OF MERCED STATE OF CALIFORNIA



DATE: 05/13/2019

LINE	BEARING	DIST.	LINE	BEARING	DIST.
L37	S77°00'20"W	87.15'	L43	N85°14'11"W	78.66'
L38	S26°33'54"E	73.03'	L44	S26°33'55"W	58.43'
L39	S27°24'27"W	198.67'	L45	S11°18'35"W	66.62'
L40	S83°17'25"W	111.82'	L46	S08°07'49"W	46.19'
L41	S82°24'19"W	98.85'	L47	S07°35'41"E	35.68'
L42	S90°00'00"W	19.60'			

N35°48'37"E 372.62'

COUNTY OF MERCED

102.00 AC.

N54°05'52"E 159.13'

N72°41'31"E 822.80'

N55°13'43"E 243.36'

N01°07'48"E 78.67'

N01°07'48"E 792.89'

N89°50'14"W 1604.33'

N89°50'14"W 1604.33'

N89°50'14"W 1604.33'

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N89°50'14"W 1604.33'

N89°50'14"W 1604.33'

REGENTS OF THE UNIVERSITY OF CALIFORNIA

REGENTS OF
 UNIV. OF CALIF.
 PARCEL 2
 P.M. 83-9
 N36°52'26"E
 16.33'

S87°30'48"E
 32.30'

S63°30'55"E
 440.18'

N75°29'52"E
 197.31'

N89°09'17"E
 128.81'

S69°05'09"E
 232.10'

N84°18'16"E
 479.34'

N62°33'58"E
 442.11'

N79°06'27"E
 256.58'

N49°00'21"E
 289.69'

S41°40'18"E
 52.28'

N48°18'50"E
 373.01'

N35°48'37"E 372.62'

N54°05'52"E 159.13'

N72°41'31"E 822.80'

N55°13'43"E 243.36'

N01°07'48"E 78.67'

N01°07'48"E 792.89'

N89°50'14"W 1604.33'

N89°50'14"W 1604.33'

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N89°50'14"W 1604.33'

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N89°50'14"W 1604.33'

N89°50'14"W 1604.33'

LINE	BEARING	DIST.	LINE	BEARING	DIST.
L1	S05°11'40"W	74.10'	L19	S45°00'00"W	36.95'
L2	S23°21'25"E	40.08'	L20	S45°00'00"W	46.19'
L3	S63°26'06"W	24.62'	L21	S54°27'44"W	56.19'
L4	S00°00'00"W	65.32'	L22	S28°36'38"W	81.85'
L5	S45°00'01"W	27.71'	L23	S11°18'36"W	33.31'
L6	S86°18'31"W	202.92'	L24	S03°34'35"W	104.72'
L7	S65°53'52"W	271.94'	L25	S36°52'12"W	65.32'
L8	S63°26'04"W	29.21'	L26	S80°08'03"W	152.50'
L9	S59°02'10"W	38.09'	L27	N48°00'46"W	87.88'
L10	S07°07'30"W	52.67'	L28	N78°41'24"W	66.62'
L11	S09°27'45"E	39.73'	L29	S90°00'00"W	78.39'
L12	S08°07'48"E	46.19'	L30	S79°59'31"W	112.77'
L13	S29°03'17"E	67.25'	L31	S55°18'17"W	103.29'
L14	S45°00'00"W	157.05'	L32	S41°11'09"W	69.44'
L15	S87°42'34"W	163.44'	L33	S21°02'15"W	90.99'
L16	S59°02'11"W	76.18'	L34	S12°31'43"W	60.23'
L17	S70°20'46"W	97.11'	L35	S63°26'06"W	116.85'
L18	S60°15'18"W	52.67'	L36	S06°20'25"E	177.46'

2020 PROJECT
 CAMPUS BOUNDARY

FOUND 2" IRON PIPE IN
 MONUMENT WELL
 ACCEPTED AS SW.
 CORNER SECTION 34
 PER R.S. 37-23

POINT OF
 BEGINNING
 N01°07'48"E
 78.67'

BELLEVUE RD.

The boundaries shown hereon do not depict parcel lines,
 but depict the boundaries of the service area and annex
 area covered by the Urban Services Agreement and
 Agreement to Annex.

SHEET
 OF 1
 OWNER:
 Regents of the University of California
 JOB No: 13-026-001
 SCALE: 1"=600'

AMENDED EXHIBIT C

Legal Description of UCM Boundary of the 2020 Project Area

REVISED 2020 PROJECT CAMPUS BOUNDARY - EXHIBIT C

All that real property situate in the County of Merced, State of California, lying within Section 34, Township 6 South, Range 14 East, M.D.M., as shown on that certain Record of Survey for the "University of California Merced Campus", filed in Book 37 of Surveys, Pages 23-26, Merced County records and being a portion of Parcels 1, 2 and 3, as shown on that certain Parcel Map for "Merced Community Golf Association", filed in Book 83 of Parcel Maps, Pages 9-12, together with a portion of the North One-half of Section 3, Township 7 South, Range 14 East, M.D.M. and being more particularly described as follows:

AREA 1

COMMENCING at a 2" iron pipe set in a monument well and accepted as the Southwest corner of said Section 34 as shown on said Record of Survey; thence along the West and Northwesterly line of said lands of the Regents of the University of California, being also the West and Northwesterly line of said Parcel 1 as shown in Book 83 of Parcel Maps, Page 9 the following seven (7) courses:

1. North 01°07'48" East, 871.56 feet; thence
2. North 55°13'43" East, 243.36 feet; thence
3. North 72°47'31" East, 822.80 feet; thence
4. North 54°05'52" East, 159.13 feet; thence
5. North 35°48'37" East, 372.62 feet; thence
6. North 48°18'50" East, 373.01 feet; thence
7. South 41°40'18" East, 52.28 feet;

thence North 49°00'21" East, 289.69 feet to the **POINT OF BEGINNING**; thence continuing along said West and Northwesterly line of said Parcel 1, North 49°00'21" East, 781.81 feet to a point on the South line of a permanent easement to the Merced Irrigation District for the "Le Grand Canal" per Book 2299, Page 963, Series No. 19713 Official Records of Merced County, hereinafter after referred to as the "Le Grand Canal"; thence along the Southerly line of said "Le Grand Canal" North 69°46'50" East, 596.89 feet; thence leaving the Southerly line of said "Le Grand Canal", South 84°18'16" West, 479.34 feet; thence South 62°23'58" West, 442.11 feet; thence South 79°06'27" West, 286.58 feet to the **POINT OF BEGINNING**, containing 4.062 acres, more or less.

TOGETHER WITH:

AREA 2

BEGINNING at a 2" iron pipe set in a monument well and accepted as the Southwest corner of said Section 34 as shown on said Record of Survey; thence along the West line of said lands of the Regents of the University of California, being also the West line of said Parcel 1 as shown in Book 83 of Parcel Maps, Page 9, North 01°07'48" East, 78.67 feet; thence leaving said West line, South 89°50'14" East, 1,604.33 feet; thence North 07°35'41" West, 35.68 feet; thence North 08°07'49" East, 46.19 feet; thence North 11°18'35" East, 66.62 feet; thence North 26°33'55" East, 58.43 feet; thence South 85°14'11" East, 78.66 feet; thence North 90°00'00" East, 19.60 feet; thence North 82°24'19" East, 98.85 feet; thence North 83°17'25" East, 111.82

REVISED 2020 PROJECT CAMPUS BOUNDARY - EXHIBIT C

feet; thence North 27°24'27" East, 198.67 feet; thence North 26°33'54" West, 73.03 feet; thence North 77°00'20" East, 87.15 feet; thence North 06°20'25" West, 177.46 feet; thence North 63°26'06" East, 116.85 feet; thence North 12°31'43" East, 60.23 feet; thence North 21°02'15" East, 90.99 feet; thence North 41°11'09" East, 69.44 feet; thence North 55°18'17" East, 103.29 feet; thence North 79°59'31" East, 112.77 feet; thence North 90°00'00" East, 78.39 feet; thence South 78°41'24" East, 66.62 feet; thence South 48°00'46" East, 87.88 feet; thence North 80°08'03" East, 152.50 feet; thence North 36°52'12" East, 65.32 feet; thence North 03°34'35" East, 104.72 feet; thence North 11°18'36" East, 33.31 feet; thence North 28°36'38" East, 81.85 feet; thence North 54°27'44" East, 56.19 feet; thence North 45°00'00" East, 46.19 feet; thence North 45°00'00" East, 36.95 feet; thence North 60°15'18" East, 52.67 feet; thence North 70°20'46" East, 97.11 feet; thence North 59°02'11" East, 76.18 feet; thence North 87°42'34" East, 163.44 feet; thence North 45°00'00" East, 157.05 feet; thence North 29°03'17" West, 67.25 feet; thence North 08°07'48" West, 46.19 feet; thence North 09°27'45" West, 39.73 feet; thence North 07°07'30" East, 52.67 feet; thence North 59°02'10" East, 38.09 feet; thence North 63°26'04" East, 29.21 feet; thence North 65°53'52" East, 271.94 feet; thence North 86°18'31" East, 65.77 feet to a point on the North and East line of a permanent easement to the Merced Irrigation District for the "Fairfield Canal" per Book 2299, Page 963, Series No. 19713 Official Records of Merced County, hereinafter referred to as "Fairfield Canal"; thence leaving said North line, South 59°41'37" East, 209.51 feet to a point on the South and West line of said "Fairfield Canal"; thence along said South line South 61°42'36" East, 53.68 feet; thence along the arc of a curve to the right, having a radius of 25.00 feet, the chord of which bears South 15°58'37" East, 35.80 feet; thence South 29°45'21" West, 172.37 feet; thence South 22°37'44" West, 58.69 feet; thence along the arc of a curve to the right, having a radius of 425.00 feet, the chord of which bears South 35°19'38" West, 186.84 feet; thence South 48°01'32" West, 114.65 feet; thence along an arc of a curve to the left, having a radius of 575.00 feet, the chord of which bears South 45°31'01" West, 50.33 feet; thence leaving the South and West line of line of said "Fairfield Canal", along the arc of a non-tangent curve, concave to the Northeast, with a radius of 141.00 feet and a chord which bears South 83°45'15" East, 198.20 feet; thence North 48°01'32" East, 129.21 feet; thence North 28°03'56" East, 399.23 feet; thence along the arc of a curve to the right, having a radius of 560.00 feet, the chord of which bears North 34°30'52" East, 92.91 feet; thence North 39°16'22" West, 911.25 feet; thence along the arc of a curve to the left, having a radius of 179.00 feet, the chord of which bears North 01°33'50" West, 234.10 feet; thence South 47°35'56" West, 35.40 feet; thence North 42°21'03" West, 104.92 feet; thence South 47°38'57" West, 191.00 feet; thence South 48°29'31" West, 800.33 feet; thence North 05°11'40" East, 21.49 feet; thence North 63°30'55" West, 500.06 feet to a point on the South line of said "Le Grand Canal"; thence along said South line, North 58°24'14" East, 184.24 feet; thence along the arc of a curve to the left, having a radius of 575.00 feet, the chord of which bears North 39°29'03" East, 372.88 feet; thence North 20°33'52" East, 311.34 feet; thence along the arc of a curve to the right, having a radius of 25.00 feet; the chord of which bears North 44°31'14" East, 20.30 feet; thence North 68°28'36" East, 627.36; thence leaving the South line of said "Le Grand Canal", South 42°21'03" East, 435.99 feet; thence South 47°38'57" West, 166.20 feet; thence South 42°21'03" East,

REVISED 2020 PROJECT CAMPUS BOUNDARY - EXHIBIT C

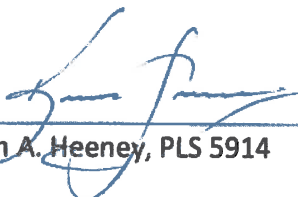
99.82 feet; thence South 47°35'56" West, 34.40 feet; thence along the arc of a non-tangent curve, concave to the West, with a radius 221.00 feet and a chord of which bears South 01°33'50" East, 289.03 feet; thence South 39°16'22" West, 911.25 feet; thence along the arc of a curve to the left, having a radius of 518.00 feet, the chord of which bears South 34°30'52" West, 85.94 feet; thence South 28°03'56" west, 399.23 feet; thence South 28°29'54" West, 307.35 feet; thence along the arc of a curve to the right, having a radius of 321.00 feet, the chord of which bears South 73°22'39" West, 455.17 feet to a point on the West line of said "Fairfield Canal"; thence along said West line, South 30°09'09" West, 62.74 feet; thence South 20°33'52" West, 197.12 feet; thence South 05°42'47" West, 229.16 feet; thence South 04°05'15" East, 202.90 feet; thence along the arc of a curve to the right, having a radius of 25.00 feet, the chord of which bears South 18°39'46" West, 19.34 feet; thence South 41°24'47" West, 112.35 feet; thence along the arc of a curve to the left, having a radius of 175.00 feet, the chord of which bears South 22°12'49" West, 115.10 feet; thence South 03°00'51" West, 65.13 feet to a point on the South line of Parcel 3 as shown in Book 83 of Parcel Maps, Page 9; thence leaving the West line of said "Fairfield Canal" along said South line of Parcel 3, South 89°50'14" East, 78.76 feet; thence leaving said South line, South 02°05'25" West, 772.00 feet; thence West, 1,062.86 feet; thence North 01°02'23" East, 253.08 feet; thence North 89°52'33" West, 2,040.08 feet to a point on the East line of Lake Road; thence along the East line of Lake road, North 01°27'06" East, 523.04 feet the Southwest corner of said Parcel 3; thence North 89°50'14" West, 54.99 feet to the **POINT OF BEGINNING**, containing 112.995 acres, more or less.

The total area contained within the described areas is 117.057 acres, more or less.

The Basis of Bearings for this description is the California Coordinate System, NAD 83, Zone 3 as defined on that certain Record of Survey filed in the office of the County Recorder of Merced County in Book 37 of Surveys, Pages 23-26. Distances given herein are grid distances. Multiply the grid distance by 1.000045 to obtain ground distances.

End of Description

This description has been prepared by me or under my direct supervision.


Kevin A. Heeney, PLS 5914



05/15/2019
Date

AMENDED EXHIBIT D

Map of Revised 2020 Project UCM Campus--Illustrative of Boundaries of Revised 2020 Project:
UCM Campus Only

3224142.1

EXHIBIT D

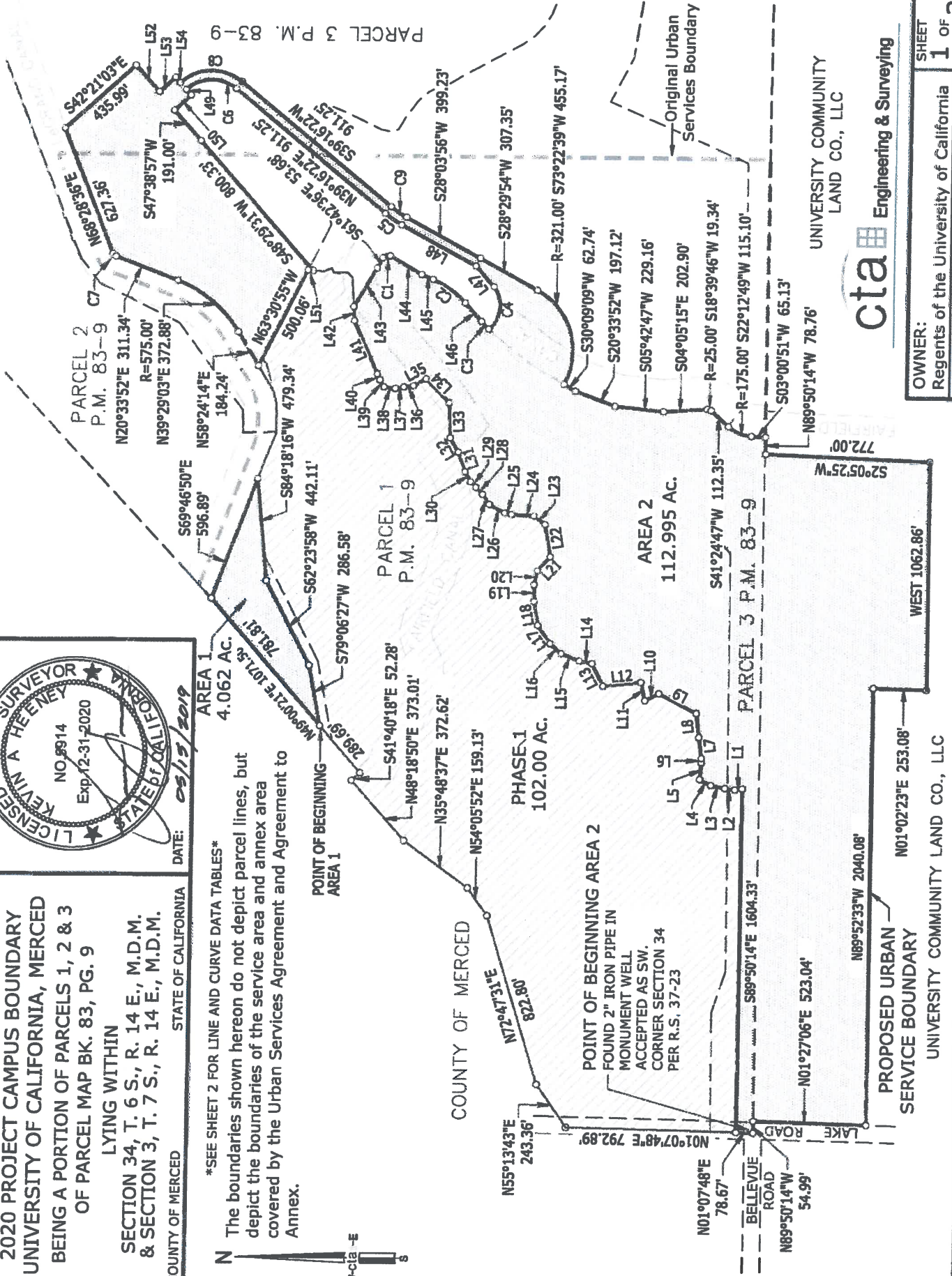
Plat to Accompany Legal Description
2020 PROJECT CAMPUS BOUNDARY
UNIVERSITY OF CALIFORNIA, MERCED
BEING A PORTION OF PARCELS 1, 2 & 3
OF PARCEL MAP BK. 83, PG. 9
LYING WITHIN
SECTION 34, T. 6 S., R. 14 E., M.D.M.
& SECTION 3, T. 7 S., R. 14 E., M.D.M.
COUNTY OF MERCED



DATE: 05/15/2019

SEE SHEET 2 FOR LINE AND CURVE DATA TABLES

The boundaries shown hereon do not depict parcel lines, but depict the boundaries of the service area and annex area covered by the Urban Services Agreement and Agreement to Annex.



cta Engineering & Surveying

OWNER:
Regents of the University of California
SCALE: 1"=600'

SHEET
1 of 2

JOB No: 13-026-001

EXHIBIT D

Plat to Accompany Legal Description
2020 PROJECT CAMPUS BOUNDARY
UNIVERSITY OF CALIFORNIA, MERCED
BEING A PORTION OF PARCELS 1, 2 & 3
OF PARCEL MAP BK. 83, PG. 9
LYING WITHIN
SECTION 34, T. 6 S., R. 14 E., M.D.M.
& SECTION 3, T. 7 S., R. 14 E., M.D.M.

COUNTY OF MERCED STATE OF CALIFORNIA

DATE: 05/15/2019



LINE	BEARING	DIST.	LINE	BEARING	DIST.
L1	N07°35'41"W	35.68'	L28	N45°00'00"E	46.19'
L2	N08°07'49"E	46.19'	L29	N45°00'00"E	36.95'
L3	N11°18'35"E	66.62'	L30	N60°15'18"E	52.67'
L4	N26°33'55"E	58.43'	L31	N70°20'46"E	97.11'
L5	S85°14'11"E	78.66'	L32	N59°02'11"E	76.18'
L6	N90°00'00"E	19.60'	L33	N87°42'34"E	163.44'
L7	N82°24'19"E	98.85'	L34	N45°00'00"E	157.05'
L8	N83°17'25"E	111.82'	L35	N29°03'17"W	67.25'
L9	N27°24'27"E	198.67'	L36	N08°07'48"W	46.19'
L10	N26°33'54"W	73.03'	L37	N09°27'45"W	39.73'
L11	N77°00'20"E	87.15'	L38	N07°07'30"E	52.67'
L12	N06°20'25"W	177.46'	L39	N59°02'10"E	38.09'
L13	N63°26'06"E	116.85'	L40	N63°26'04"E	29.21'
L14	N12°31'43"E	60.23'	L41	N65°53'52"E	271.94'
L15	N21°02'15"E	90.99'	L42	N86°18'31"E	65.77'
L16	N41°11'09"E	69.44'	L43	S59°41'37"E	209.51'
L17	N55°18'17"E	103.29'	L44	S29°45'21"W	172.37'
L18	N79°59'31"E	112.77'	L45	S22°37'44"W	58.69'
L19	N90°00'00"E	78.39'	L46	S48°01'32"W	114.65'
L20	S78°41'24"E	66.62'	L47	N48°01'32"E	129.21'
L21	S48°00'46"E	87.88'	L48	N28°03'56"E	399.23'
L22	N80°08'03"E	152.50'	L49	S47°35'56"W	35.40'
L23	N36°52'12"E	65.32'	L50	N42°21'03"W	104.92'
L24	N03°34'35"E	104.72'	L51	N05°11'40"E	21.49'
L25	N11°18'36"E	33.31'	L52	S47°38'57"W	166.20'
L26	N28°36'38"E	81.85'	L53	S42°21'03"E	99.82'
L27	N54°27'44"E	56.19'	L54	S47°35'56"W	34.40'

CURVE	RADIUS	CHORD	DIST.
C1	25.00'	S15°58'37"E	35.80'
C2	425.00'	S35°19'38"W	186.84'
C3	575.00'	S45°31'01"W	50.33'
C4	141.00'	S83°45'15"E	198.20'
C5	560.00'	N34°30'52"E	92.91'
C6	179.00'	N01°33'50"W	234.10'
C7	25.00'	N44°31'14"E	20.30'
C8	221.00'	S01°33'50"E	289.03'
C9	518.00'	S34°30'52"W	85.94'

cta Engineering & Surveying

OWNER: Regents of the University of California
SHEET 2 OF 2
JOB No: 13-026-001
SCALE: 1"=600'

**First Amendment to
Amended and Restated Contract for Water, Sewer and Other Services
Between
The City of Merced and The Regents of the University of California**

THIS FIRST AMENDMENT to Amended and Restated Contract for Water, Sewer and Other Services ("First Amendment to Contract") between the City of Merced, a California Charter Municipal Corporation ("City") and The Regents of the University of California, on behalf of the Merced campus ("UCM").

WHEREAS, UCM is expanding its university campus ("Project") and requires additional sewer and water services from the City; and

WHEREAS, City and UCM have previously entered into an Amended and Restated Contract for Water, Sewer and Other Services for said Project dated April 29, 2016 ("Contract"); and

WHEREAS, City and UCM desire to amend said Contract to modify the terms of payment for said Project.

NOW, THEREFORE, the parties hereto, in consideration of the mutual covenants hereinafter recited, agree as follows:

1. Section 8 of the Contract, "Price," is hereby amended to read as follows:

"Section 8. Price. UCM shall pay for water and sewer services provided as follows:

a. Sewer Monthly Service Charges and Water Monthly Service Charges. UCM shall pay sewer monthly service charges and water service charges as specified for its appropriate user category in the Merced Municipal Code, Chapter 15, as may be amended from time to time; provided however, UCM does not waive its rights, if any, to contest at any time in the future that new or increased charges include capital charges which have not been agreed to under California Government Code section 54999.3 and following.

b. Sewer Facilities Charges and Water Facilities Charges. Both Water Facilities Charges and Sewer Facilities Charges provided for in sections 1, 2, and 3 below are based upon the Merced Municipal Code, Chapter 15 as of March 17, 2003 for Phase One, UCM Campus and as of 2016 for the Revised 2020 Project, and have been negotiated and agreed upon by the parties as provided in California Government Code Section 54999.3 and following. The parties agree that for the purpose of determining these Facilities charges, including the costs of service North of Bear Creek, but outside of the North Merced Sewer Assessment District for Phase One, UCM Campus and the Revised 2020 Project, there are certain measurements of campus land area, building line connection sizes, and final engineering design impacts which are difficult and impractical to determine precisely. Therefore, the parties agree that the following determinations are made with respect to Sewer Facilities Charges and Water Facilities Charges:

1. North of Bear Creek, but outside North Merced Sewer Assessment District. Phase One, UCM Campus is approximately 102 acres, of which 24 acres was open space not subject to the charge applicable to property North of Bear Creek but outside of the North Merced Sewer District under Phase One, UCM Campus. The cost for the balance of Phase One which is North of Bear Creek, but outside of the North Merced Sewer Assessment District was based upon 78 acres of area, at \$3,222.71 per acre as of the original date of the Original Contract, totaling a one-time charge of \$251,371.38, which amount is included in the Project Costs.

Revised 2020 Project and Phase One, UCM Campus are approximately 219 acres, including approximately 117 acres not previously included in Phase One, UCM Campus. The cost for the Revised 2020 property which is also North of Bear Creek, but outside the North Merced Sewer Assessment District is estimated upon an additional 137 acres of area, at \$4,251.61 per acre as of August 31, 2015 totaling a one-time charge of \$582,470.08. The final calculation of the annexation charge shall be based on the developable acreage of the Revised 2020

Project and any part of the 24 acres of open space in Phase One, UCM Campus that is proposed for development, adjustments for changes based upon accumulated interest between August 31, 2015 and the date the fee is paid in accordance with Merced Municipal Code Section 15.16.070, and shall not include any open space not subject to development.

a. Fee Obligation. UCM acknowledge and unconditionally agree that it owes the City the total sum of Five Hundred Eighty-Two Thousand Four Hundred Seventy Dollars and Eight Cents (\$582,470.08) for sewer fees.

b. Down Payment and Repayment Schedule. The UCM agree to pay twenty-five percent (25%) of the sewer fees upon execution of this First Amendment to Contract with the remaining seventy-five percent (75%) to be paid in equal annual installments over the next four (4) years (or less at UCM's option).

c. Repayment Terms and Conditions.

1. Payment Frequency. UCM shall make annual payments of the remaining deferred sewer fee obligation, the amount paid annually being at least one-quarter of the total deferred sewer fee obligation, plus interest as described below. Payments shall be made on or before the anniversary date on an annual basis of the execution of this First Amendment to Contract and shall be made to the City of Merced, Finance Department, Fee Deferral for UC Merced, and made at 678 West 18th Street, Merced, California 95340. City shall endeavor to send UCM an invoice for payment at least thirty (30) days before the payment is due. However, UCM unconditionally agrees to make said payment by the payment due date even if no invoice is received thereby. A late

fee of five percent (5%) of the total fee payment shall be imposed for all late payments made.

2. Interest. The unpaid balance of the fees shall be subject to interest and collection charges. The annual interest rate will be equal to the 11th District Cost of Funds plus one percent (1%) [100 basis points] adjusted every July.

3. Due on Transfer. The unpaid deferred sewer fee balance, together with accrued interest, and late fees shall be due and payable in full upon sale or any other transfer of the property.

4. Recording and Processing Fees. All such fees shall be paid by UCM.

2. Sewer Facilities Charges. A twenty-four-inch sewer connection is provided, with a single point of connection. The Sewer Facilities Charge due as part of the capital costs of the Project is a one-time charge of \$104,780 and UCM has paid that amount.

Future Sewer Facilities Charges shall be paid by UCM to compensate for increased enrollment, as provided in the Schedule of Sewer Facilities Charges in Attachment 3, as updated, and incorporated herein by reference. These charges shall be paid not later than September 30th of each year.

3. Water Facilities Charges. A sixteen-inch water connection is provided, with a single meter in lieu of City metering of individual buildings on the UCM Campus. The Water Facilities Charge, which has been paid by UCM, was a one-time charge per special determination based upon the MMC, for a sixteen-inch connection is \$557,404.

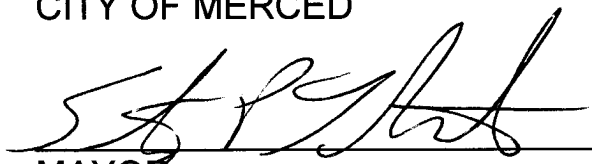
c. Capital Facilities Fees. Capital Facilities Fees were based upon Project Costs, including Sewer and Water Facilities Charges, amortized over the payment period for the Project Financing, and sufficient to fully retire the Project Financing.

UCM will continue to make the payments required pursuant to the Permanent Financing Capital Facilities Fee Agreement dated October 17, 2003 between the City of Merced and the Regents of the University of California."

2. Except as herein amended, the Contract dated April 29, 2016 shall remain in full force and effect.


IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to Contract to be duly executed on the date first above written.

CITY OF MERCED


MAYOR

10/17/16
DATE

ATTEST:



Deputy City Clerk



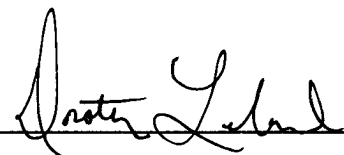
APPROVED AS TO FORM

By: 
City Attorney

9-7-2016
Date

300084
FUNDS/ACCOUNTS VERIFIED

FINANCE OFFICE
No funds to encumber. use
ME # 13123 10/10/16
FL 10/12/16

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

By: 

09-27-16
DATE

**Amended and Restated Contract for Water, Sewer and Other Services
Between
The City of Merced and The Regents of the University of California**

Contents

- Section 1. Recitals
- Section 2. Definitions
- Section 3. Scope and Term of Contract
- Section 4. Capital Construction Project
- Section 5. Financing of Project
- Section 6. Service Provisions
- Section 7. Limitations on Use of Water and Sewer
- Section 8. Price
- Section 9. Payment Obligation
- Section 10. Use of Project by Third Parties and Reimbursements
- Section 11. Annexation Agreement
- Section 12. Indemnities and Remedies
- Section 13. Cooperation of Parties
- Section 14. Termination
- Section 15. Compliance with California Environmental Quality Act
- Section 16. Other Provisions

Attachments

- 1. Maps and Diagrams of Project
- 2. Non-Binding Project Cost Estimates
- 3. Sewer Facilities Charges
- 4. Map of Phase One, UCM Campus and the Revised 2020 Project
- 5. Agreement to Annex
- 6. Permanent Financing Capital Facilities Fee Agreement

**Contract for Water, Sewer and Other Services
Between
The City of Merced and The Regents of the University of California**

This Services Contract ("Contract") was entered into as of March 17, 2003, ("Original Contract") and amended as of _____, 2016, ("Updated Contract") by and between the City of Merced ("City"), a California Charter Municipal Corporation, and the Regents of the University of California, on behalf of the Merced campus ("UCM").

The parties hereto, in consideration of the mutual promises and covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged and agreed, do hereby agree as follows:

Section 1. Recitals. This Contract is made and entered into with respect to the following facts and information for the following purposes:

- a. City provides municipal services, including sewer, water, and fire services, within its corporate limits, and outside its corporate limits only upon specific terms and conditions consistent with the City of Merced General Plan, Merced Municipal Code, Chapter 15, and Resolution No. 78-3 of the City Council of the City of Merced, adopted January 3, 1978.
- b. UCM is establishing a university academic campus in accordance with its Long Range Development Plan adopted January 17, 2002 by the University of California Board of Regents, requiring sewer and water services, and desires to obtain those services from City.
- c. Since the Original Contract was executed, the University of California Board of Regents adopted a new Long Range Development Plan on March 17, 2009 that incorporated a "2020 Project", and subsequently amended the plan to include a "Revised 2020 Project" on May 15, 2013. UCM now seeks to develop the Revised 2020 Project in accordance with its Long Range Development Plan, requiring sewer and water services, and desires to amend the Contract in order to obtain those services from City. The Revised 2020 Project and the original 102 acre Phase One, UCM Campus together total two hundred nineteen (219) acres.

Pursuant to the Original Contract, the City has provided water and sewer services to Phase One of the UCM campus. Sections 3 and 7 of the Original Contract provided that the Original Contract "establishes terms and conditions for the provision of water and sewer service by City to UCM for Phase One, UCM Campus including ... the continuing services of water and sewer ..." The Phase One area includes 102 acres. Section 8(b)(2) of the Original Contract provides that "[f]uture Sewer Facilities Charges shall be paid by UCM ... as provided in the Schedule of Sewer Facilities Charges in Attachment 3 ..." Note 2 to Attachment 3 provides that the charge per student "is subject to change computed by a price index according to Chapter 15.16 of the Merced Municipal Code ..." The parties have interpreted the Original Contract to include within the Phase One area any building that is completely or partially within the Phase One area.

The Revised 2020 Project area will be served with water and sewer services through separate utility connection points to be constructed by UCM within the Revised 2020 Project area.

d. UCM may also require fire protection services to support development of the Phase One project and Revised 2020 Project, and the City and UCM agree that such services may be provided to UCM pursuant to the specific terms set forth in a separate and subsequent agreement.

e. City has supported development of UCM and has carried out activities of benefit to UCM, including structuring of financing for extension of services, applications for financing, negotiations with providers of financing, development of contracts, initial investigations of permitting, and inclusion of UCM in City plans and engineering studies.

f. The City and UCM enter into this Contract in order to develop the appropriate water and sewer services to the University of California Merced campus, and also previously entered into a Capital Facilities Fee Agreement for the purposes of acquiring Project Financing. The Capital Facilities Fee Agreement approved as part of the Original Contract was entered into to finance the "Facilities" identified in the Capital Facilities Fee Agreement. The City and UCM agree that these "Facilities" have been constructed and that the Updated Contract does not require either an amendment to the Capital Facilities Fee Agreement or a new Capital Facilities Fee Agreement applicable to the Revised 2020 Project area.

g. It is the intent of City to sell, and of UCM to purchase from the City, water and sewer capacity and water and sewer services in accordance with the terms and conditions set forth in this Contract and the Capital Facilities Fee Agreement.

h. UCM has installed infrastructure on its campus which allows for the use of non-potable water for landscape irrigation purposes. UCM and City agree that, under certain circumstances, use of non-potable surface water (not from the Merced County Groundwater Basin) for irrigation purposes provides certain benefits by minimizing the use of potable water.

Section 2. Definitions.

a. CIEDB. Means the California Infrastructure and Economic Development Bank, an agency of the State of California offering financing for local infrastructure projects.

b. Capital Facilities Fee. Means that charge paid by UCM for the purpose of fully retiring any and all costs of Project Financing, as specified in this Contract and in the Capital Facilities Fee Agreement.

c. Capital Facilities Fee Agreement. Means that agreement entered into by and between City and UCM dated October 1, 2003, whereby UCM agreed to pay the Capital Facilities Fee and City agreed to obtain Project Financing in order to assure the availability of water and sewer service for Phase One and the Revised 2020 Project UCM campus. A copy of the Capital Facilities Fee Agreement is attached hereto as Attachment 6.

d. Certificate of Completion. Means a written Certificate (also called a Notice) of Completion of Project construction by City, which shall be taken as conclusive evidence that the Project is ready for use and issuance of such Certificate of Completion shall constitute a warranty to UCM that the Project will provide water and sewer services to Phase One and the Revised 2020 Project, UCM Campus.

e. Commencement of Project Construction. Means the date that City issues a Notice to Proceed to a construction contractor authorizing initiation of Project construction.

f. **Construction Costs.** Means all costs of constructing Project capital improvements necessary for water and sewer service within the scope of this Contract, including payments to contractors.

g. **Days.** Means a twenty-four hour period and refers to calendar days.

h. **Final Engineering Design and Cost Estimate.** Means the complete set of plans and specifications for bidding construction of the Project, including engineer's cost estimate, prepared by City and/or its consultant, and approved by UCM and City as provided in Section 4.c.2. below.

i. **Merced Charter.** Means the Charter of the City of Merced as approved and adopted by the Legislature and a vote of the people.

j. **Merced Municipal Code (MMC).** Means the Municipal Code, currently existing or as may be hereafter amended, codifying certain ordinances of the City of Merced, a California Charter Municipal Corporation.

k. **North Merced Sewer Assessment District.** Means the Assessment District created by the City of Merced by Resolution No. 86-119 dated November 25, 1986, for the purpose of assessing various properties located north of Bear Creek in order to finance certain sewer system improvements.

l. **Revised 2020 Project.** Means a one hundred seventeen (117) acre area of the Campus of the University of California Merced, as defined in the Long Range Development Plan adopted by the University of California Board of Regents on March 17, 2009, and amended on May 15, 2013, as illustrated in Attachment 4.

m. **Phase One, UCM Campus.** Means a one hundred two (102) acre (approximately) area of the Campus of the University of California Merced, as defined in the Long Range Development Plan adopted by the University of California Board of Regents on January 17, 2002, as illustrated in Attachment 4.

n. **Project.** Means the "off-site" capital improvements to provide sewer and water service to Phase One and the Revised 2020 Project, UCM Campus, including all lines, lift stations, pump stations, meters, flow stations, and appurtenances thereto and any necessary land, easements or rights-of-

way upon which the improvements are situated; and does not include the UCM on-campus distribution and collection systems. The major components of the Project are described in Attachment 1 attached hereto.

o. **Project Costs.** Means all those costs agreed to by both the City and UCM and incorporated into the Final Engineering Design and Cost Estimate which has been approved by both the City and UCM. These costs include any and all costs to complete the Project, including but not limited to Construction Costs; planning, construction management, engineering and design costs; fees, charges, and permits; costs of land by purchase, lease or other device; costs of compliance with the California Environmental Quality Act, the National Environmental Protection Act, and any other regulations; debt service reserves; costs of financing including but not limited to interest, fees, charges, underwriting, and appraisals; and administration and staffing. Project Costs shall not include the ongoing maintenance and repair of the Project which shall be the sole responsibility of City.

p. **Project Financing.** Means any loan, grant or other source of funding arranged or used to pay for Project Costs.

q. **Provider of Financing.** Means any party, organization or agency that provides loans or financing in any form for the Project, including, but not limited to, the CIEDB.

r. **Sewer Monthly Service Charge.** Means the service charge for City of Merced sewer service as used in the Merced Municipal Code, Section 15.12, as may be amended from time to time.

s. **Sewer Facilities Charge.** Means the charge for costs of sewer capital facilities, as described in Section 8.b.2 and Attachment 3 below, including cost escalators as provided in MMC 15.16.

t. **UCM Campus.** Means the Campus of the University of California Merced as described in the Long Range Development Plan, adopted by the University of California Board of Regents on January 17, 2002, amended on March 17, 2009 and amended on May 15, 2013.

u. University Capital Charge Fund. Means that fund established by the City of Merced into which all payments by UCM as Capital Facilities Fees are deposited.

v. Water Monthly Service Charge. Means the service charge for City of Merced water service as used in the Merced Municipal Code, Section 15.36, as may be amended from time to time.

x. Water Facilities Charge. Means the major water facilities charge for costs of water capital facilities, as described in Section 8(b)(3) below.

y. Basic Research is defined as systematic study directed toward fuller knowledge or understanding of the fundamental aspects of phenomena and of observable facts without specific applications towards processes or products in mind.

z. Applied Research is defined as systematic study to gain knowledge or understanding necessary to determine the means by which a recognized and specific need may be met.

aa. Development is defined for purposes of Section 7 of this Agreement as systematic application of knowledge or understanding, directed toward the production of useful materials, devices, and systems or methods, including design, development, and improvement of prototypes and new processes to meet specific requirements.

Section 3. Scope and Term of Contract. This Contract establishes terms and conditions for provision of water and sewer services by City to UCM for Phase One and the Revised 2020 Project, UCM Campus, including both (1) Project Costs, and (2) the continuing services of water and sewer, including operation and maintenance. The City and UCM agree that notwithstanding the terms of this Agreement, UCM may obtain surface non-potable water delivered by the Merced Irrigation District solely for use for landscape irrigation purposes, provided that the original source of said water (or any portion thereof) is not from groundwater from the Merced County Groundwater Basin

With respect to the Project Costs of Project construction and UCM's payment therefor, the UCM obligation to pay the Capital Facilities Fee shall match the terms of the Project Financing acquired by City to fund the

Project, provided that the Project Financing has been repaid in full. Notwithstanding the foregoing, City's obligation to provide the services set forth in this Contract shall, subject only to any termination rights expressly set forth in this Contract, continue as an obligation of the City pursuant to the terms of this Updated Agreement. The parties hereby agree that this repayment term shall be thirty (30) years from the date of the original Contract, but in the event that the Project Financing acquired by City is of some other term, City shall notify UCM as provided in 8.c. below, and UCM shall provide its reasonable consent within ten (10) days or may terminate this Contract under the provisions of Section 14.b. below.

UCM and City also contemplate the provision of fire services may be, but is not required to be, provided by the City to Phase One, UCM Campus and the Revised 2020 Project area. UCM and the City agree the terms and conditions for provision of fire services will be set forth in a separate agreement, which shall be subject to sole discretion of each party as to whether to enter into the agreement.

Section 4. Capital Construction Project. City constructed and completed the Project in accordance with the terms of this Contract .

a. Description of Project.

1. Water. The Project is described in Attachment 1 attached hereto and includes a water line extended northerly from the present terminus of City water lines, in North G Street near Cormorant Drive. The size of the water line was determined by City, based upon its computer water model. This water line was extended north in G Street to Bellevue Road, and then east along Bellevue Road to a connection point near the boundary of the UCM Campus near the intersection of Bellevue and Lake Roads.

The City water line connects to the Phase One, UCM Campus water system through a metered connection, and thence to a UCM storage tank, located on Phase One, UCM Campus near the corner of Bellevue and Lake Roads. Said storage tank was constructed and is owned by UCM as part of its distribution system and the City shall have no maintenance responsibility for the tank. The City water supply line discharges to the UCM storage tank through an air gap or double check valve assembly so that the City and UCM water distribution systems are

separate from an operational standpoint. UCM provides its own on-campus water booster pump. A City well site was needed for the servicing of the UCM campus, and was dedicated to the City at no additional charge or cost by UCM, including the value of the real property so dedicated. The City constructed a municipal well at this site at the location identified following hydrogeological testing of the sites. However, the well is not part of this Project nor considered part of Project Costs, but was developed at the City's expense.

2. Sewer. The Project includes a sanitary sewer line that was extended northerly from the present terminus of City sewer lines, in North G Street near Cormorant Drive. The size of the line at its current terminus is twenty-seven (27) inches. This sewer line was extended north in G Street to Bellevue Road, and then east along Bellevue Road to a connection point near the boundary of the UCM Campus near the intersection of Bellevue and Lake Roads. The sewer portion of the Project may and does include pump stations and/or lift stations located along the route of the line. The size of the line extension from the current terminus to the campus was determined by the City based upon engineering analysis.

3. Maps and Diagrams. The Project is described in the final maps and diagrams included in Attachment 1, which is incorporated as part of this Contract.

4. City Standards. All work in the Project, and any connecting devices and appurtenances owned by UCM, shall conform to City standards and specifications, or in the judgment of the City Engineer, be of equal or better quality and serviceability.

Section 5. Financing of Project.

a. Use, Deposit and Pledge of Capital Facilities Fees in the University Capital Charge Fund. The City shall create within its accounting system the University Capital Charge Fund. All Capital Facilities Fee payments made by UCM shall be deposited by City into the University Capital Charge Fund. The City shall pledge all revenues paid into this Fund, and no others, as security for Project Financing pursuant to and in accordance with

that certain Capital Facilities Fee Agreement executed by and between City and UCM and dated October 1, 2003.

b. Inclusion in Project Financing. The costs paid to City under that certain Deposit Agreement dated January 6, 2003 between City and UCM are considered part of Project Financing, provided that such inclusion of these costs is not contrary to policies or conditions set forth by the Provider of Financing. The amounts paid by UCM to City under the Deposit Agreement are likewise eligible for future proportional reimbursement as part of the overall Project, as set forth in this Contract.

c. Advance Repayment of Project Financing by UCM to City. UCM, at its election, may repay the total, or any outstanding balance, of its proportionate share of Project Financing at any time before the expiration of the financing period, such amount to be sufficient to retire the remaining debt associated with UCM's proportionate share, including any interest, fees, or prepayment premiums or penalties. "Proportionate share" is dependent upon other users who may or may not be participating in or using the Project. In the absence of other users (as provided in Section 10 below), UCM's proportionate share is one hundred percent (100%) of Project Costs.

d. Use of Reimbursements to Repay Project Financing. Any reimbursements of Project Costs to UCM from third parties under the provisions of Section 10.b. of this Contract shall be made in the following manner. City shall calculate the amount of any such reimbursement, collect the necessary charges, and deposit the reimbursement amounts to the University Capital Charge Fund to offset UCM's obligation under the Capital Facilities Fee Agreement. Within thirty (30) days of the date of the deposit of such reimbursement, City shall provide to UCM a Notice of Modified Schedule of Payments due to City under the Capital Facilities Fee Agreement for the period following such deposit. Such Notice of Modified Schedule of Payments shall provide for an immediate credit against UCM's obligations under the Capital Facilities Fee Agreement in the amount of such deposit, on a dollar for dollar basis until the full amount of such deposit has been so credited. City shall not extend any discounts or fee waivers to such third party users and the amounts charged by City to such third party users to connect to the Project shall in no event be less than amounts charged to other third party users which connect to the City system during the same fiscal year, unless City repays the amount of any

discount or fee waiver to the University Capital Charge Fund at the time otherwise due for the payment of the fee. Excess reimbursements deposited to the Fund during the thirty-year period specified in Section 10.b. below, and which remain in the Fund following the satisfactory repayment in full of the Project Financing, shall be paid by City to UCM. Consistent with the City's adopted investment policy, any interest earned on funds deposited in the University Capital Charge Fund shall accrue to and remain in the University Capital Charge Fund.

Section 6. Service Provisions.

- a. Acceptance of Service. UCM's acceptance of service shall be evidenced by prompt provision of a written Notice of Acceptance to City within the five (5) day period
- b. Sewer Connection Point. The sewer service connection is at a point near the intersection of Bellevue and Lake Roads. Depending upon engineering study and design a form of pretreatment may be required at this point because of the long conveyance distance to the City treatment plant.
- c. Water Connection Point. The water connection point is through a metered connection, to a storage tank constructed and owned by UCM. This tank is located on Phase One, UCM Campus, near the intersection of Lake and Bellevue Roads.
- d. Measurement of Services. Water and sewer service shall be metered.
- e. Meter Test. The City will periodically test the water and sewer meters, in accordance with City standards and customary practices.

Section 7. Limitations on Use of Water and Sewer.

- a. City shall provide, and UCM shall accept and use, water and sewer services solely for Phase One and the Revised 2020 Project, UCM Campus only and all UCM facilities located thereon. Water and sewer services provided pursuant to this Contract shall only be used to support the development program for Phase One and the Revised 2020 Project in the adopted LRDP, EIR/EIS and 2013 Addendum which includes: (1) 3,145,900 million square feet of building space to support 10,000 full time

equivalent students, (2) housing for 5,000 students, and (3) 5,050 parking spaces. Permitted uses include academic, research, student housing, student and support services (i.e. (1) ancillary commercial sized to serve campus demand, to include not more than 25,000 aggregate square feet of retail and restaurant, (2) student dining commons, and student health centers), athletic and recreational facilities, administrative offices, service facilities (i.e., utilities and sustainable energy facilities), and parking. The permitted research uses may include incubator space up to 20,000 aggregate square feet of development, which may be used for Basic Research, Applied Research and Development. Water or sewer services shall be used only to serve development of these uses regardless of whether those uses are provided by UCM or a private development partner. The reservations, limitations, and prohibitions contained in this Section shall also apply to UCM's contracts with third party users. UCM may, subject to all payment obligations set forth in this Updated Agreement, utilize sewer and water services on land not greater than five (5) acres owned by UC or UCLC that is used for temporary Revised 2020 Project construction staging purposes only.

b. It shall constitute a material breach of this Contract for (i) any use of water and/or sewer services by UCM or any third party to provide any water and/or sewer services outside of Phase One or the Revised 2020 Project of the UCM campus. If such event occurs, the City shall notify UCM of the violation in writing. UCM shall have thirty (30) days to provide written evidence of commencing diligently to cure the violation. In the event that UCM does not commence a cure of the violation within thirty (30) days and expeditiously complete said cure, City may terminate service as provided in Section 14 below.

c. City and UCM agree that this Contract may be amended, under the provisions of 16(m) below, to allow water and sewer service to the UCM campus outside of Phase One and the Revised 2020 Project once environmental review has occurred.

d. UCM's intended use is for a University campus as specified in this Section 7, and water and sewer charges specified in this Contract are based on such use only. Sewer and water service for any other use shall require further approval by City, separate metering, and if so approved at City's absolute and sole discretion, will be charged for in accordance with the rates and charges then in effect. City may impose other or different

conditions upon approval, or may deny the same in City's absolute and sole discretion.

e Limitations upon Sewer Discharge. Sewer discharges are subject to all the limitations of Merced Municipal Code Sections 15.24, 15.28, and 15.29 as currently existing or as may be hereafter amended. A sewage flow monitoring and sampling station (MMC 15.12.090) shall be installed as part of the Project. In the event the sewage flow monitoring and sampling station needs to be modified or expanded in the future due to expansion of UCM or regulatory changes in sampling or monitoring requirements related to UCM's sewer discharge, UCM shall be responsible for such costs and expenses. Any discharge or disposal of prohibited wastes shall be cause for termination of service. In the event UCM has specific needs for chemicals, compounds or substances which may be prohibited from discharge into the City's sewer system by Federal, State, or city law, regulation, order, directive, policy, or ordinance, UCM shall separately contract for the disposal of same.

Section 8. Price. UCM shall pay for water and sewer services provided as follows:

a. Sewer Monthly Service Charges and Water Monthly Service Charges. UCM shall pay sewer monthly service charges and water service charges as specified for its appropriate user category in the Merced Municipal Code, Chapter 15, as may be amended from time to time; provided however, UCM does not waive its rights, if any, to contest at any time in the future that new or increased charges include capital charges which have not been agreed to under California Government Code section 54999.3 and following.

b. Sewer Facilities Charges and Water Facilities Charges. Both Water Facilities Charges and Sewer Facilities Charges provided for in sections 1, 2, and 3 below are based upon the Merced Municipal Code, Chapter 15 as of March 17, 2003 for Phase One, UCM Campus and as of ~~2010~~ ²⁰¹⁶ for the Revised 2020 Project, and have been negotiated and agreed upon by the parties as provided in California Government Code Section 54999.3 and following. The parties agree that for the purpose of determining these Facilities charges, including the costs of service North of Bear Creek, but outside of the North Merced Sewer Assessment District for Phase One, UCM Campus and the Revised 2020

Project, there are certain measurements of campus land area, building line connection sizes, and final engineering design impacts which are difficult and impractical to determine precisely. Therefore, the parties agree that the following determinations are made with respect to Sewer Facilities Charges and Water Facilities Charges:

1. North of Bear Creek, but outside North Merced Sewer Assessment District. Phase One, UCM Campus is approximately 102 acres, of which 24 acres was open space not subject to the charge applicable to property North of Bear Creek but outside of the North Merced Sewer District under Phase One. UCM Campus. The cost for the balance of Phase One which is North of Bear Creek, but outside of the North Merced Sewer Assessment District was based upon 78 acres of area, at \$3,222.71 per acre as of the original date of the Original Contract, totaling a one-time charge of \$251,371.38, which amount is included in the Project Costs.

Revised 2020 Project and Phase One, UCM Campus are approximately 219 acres, including approximately 117 acres not previously included in Phase One, UCM Campus. The cost for the Revised 2020 property which is also North of Bear Creek, but outside the North Merced Sewer Assessment District is estimated upon an additional 137 acres of area, at \$4,251.61 per acre as of August 31, 2015 totaling a one-time charge of \$582,470.08. The final calculation of the annexation charge shall be based on the developable acreage of the Revised 2020 Project and any part of the 24 acres of open space in Phase One, UCM Campus that is proposed for development, adjustments for changes based upon accumulated interest between August 31, 2015 and the date the fee is paid in accordance with Merced Municipal Code Section 15.16.070, and shall not include any open space not subject to development.

2. Sewer Facilities Charges. A twenty-four-inch sewer connection is provided, with a single point of connection. The Sewer Facilities Charge due as part of the capital costs of the Project is a one-time charge of \$104,780 and UCM has paid that amount.

Future Sewer Facilities Charges shall be paid by UCM to compensate for increased enrollment, as provided in the Schedule of Sewer Facilities Charges in Attachment 3, as updated, and incorporated

herein by reference. These charges shall be paid not later than September 30th of each year.

3. **Water Facilities Charges.** A sixteen-inch water connection is provided, with a single meter in lieu of City metering of individual buildings on the UCM Campus. The Water Facilities Charge, which has been paid by UCM, was a one-time charge per special determination based upon the MMC, for a sixteen-inch connection is \$557,404.

c. **Capital Facilities Fees.** Capital Facilities Fees were based upon Project Costs, including Sewer and Water Facilities Charges, amortized over the payment period for the Project Financing, and sufficient to fully retire the Project Financing. UCM will continue to make the payments required pursuant to the Permanent Financing Capital Facilities Fee Agreement dated October 17, 2003 between the City of Merced and the Regents of the University of California.

Section 9. Payment Obligation.

a. **Invoicing.** Invoices shall be delivered monthly by City to UCM, and payment shall be due monthly according to Merced Municipal Code Chapter 15. Invoices shall identify the following components:

1. Sewer Monthly Service Charge,
2. Water Monthly Service Charge,
3. Capital Facilities Fees.

In the event that UCM secures and provides its own Project Financing under 5.a. above, then no Capital Facilities Fees shall be billed or invoiced, and UCM has no payment obligation under 9.c. below.

b. **Monthly Payment Obligation.** UCM shall timely pay invoices by the 20th day of the month, in accordance with the Merced Municipal Code, City Council resolutions, and the customary practices of the City.

c. **Sewer Monthly Service Charges and Water Monthly Service Charges.** UCM shall timely pay invoices by the 20th day of the month, in accordance with the Merced Municipal Code, City Council resolutions, and the customary practices of the City. Late payments shall be subject to late fees in accordance with the customary practices of the City.

d. Capital Facilities Fees. UCM shall pay the Capital Facilities Fees in accordance with the provisions of the Capital Facilities Fee Agreement.

e. Conformity with Government Code. By making the payments set forth in Sections 8.b and c, UCM will have paid for its proportionate share of all capital, financing, and related costs incurred for construction of the Project, consistent with Government Code Sections 54999 et. seq. and Merced Municipal Code Title 15. By execution of this Contract, both parties acknowledge and agree that they have read the provisions of Government Code Sections 54999 et. seq. and Merced Municipal Code Title 15, and that the Capital Facilities Fee, the Sewer Facilities Charge, and the Water Facilities Charge provided in this Contract have been negotiated and agreed upon as provided in Government Code Sections 54999 et. seq. Without modifying the terms of this Contract, the City expressly reserves its right to amend Chapter 15 of the Merced Municipal Code at any time.

Section 10. Use of Project by Third Parties and Credits to UCM.

a. Generally. The water and sewer lines built as part of the Project are available for other developments along the corridor of the Project within the City's Sphere of Influence boundary, provided that all of UCM's actual capacity needs for Phase One and the Revised 2020 Project, UCM Campus will be met, as reasonably determined by UCM and City, all necessary environmental review has been completed, and the property has been annexed to the City.

b. UCM's Right to Credit of Project Costs from Third Party Users. To the extent that other users along the corridor of the Project connect to and receive City water and sewer service from the Project, City shall collect fees or charges from third party users and credit UCM pursuant to section 5.d. above and City agrees to amend the Municipal Code so that UCM shall be entitled to receive said credits with respect to any third party use which occurs within thirty (30) years of the date of the original Contract. Any credit under this paragraph shall be made in the manner described under paragraph 5.d. of this Contract. In no event shall City be required to provide credit to UCM until City collects such credits from the other benefiting third parties.

c. In the event that another user applies for connection, City shall notify UCM within 30 days of the proposed connection, the quantity of services to be used, and the projected amount of reimbursement. This notification is for informational purposes and not for UCM's consent. Whether or not a new user may connect to the City's water and/or sewer services from the Project will be decided by the City in the exercise of its sole discretion.

Section 11. Annexation Agreement.

As a condition of receiving sewer and water services from City, UCM has entered into the Agreement to Annex in Attachment 5 to this Contract. This Contract is not operable unless and until the Agreement to Annex has been executed.

Section 12. Indemnities and Remedies

a. City, pursuant to Government Code Section 895.4 and except as otherwise stated herein, shall indemnify, protect, defend, and hold harmless UCM and its officers, officials, employees, agents, and authorized representatives, from all costs (including reasonable attorneys' fees, costs, and expenses), claims, demands, or liabilities, judgments for injury or damage to property and injuries to persons as defined by Government Code Section 810.8 including, without limitation, the injury or death of any person or liability for property damage which arises out of or occurs during City's performance under this Agreement whether such damage shall accrue or be discovered before or after termination of this Agreement unless the claim, demand, or liability judgment for injury or damage is caused by UCM's negligent or intentional acts.

In performing its obligations under this Agreement, City is undertaking a project which under City practices and policies would normally be undertaken by those developing property. In taking on these obligations, City may be exposed to certain legal challenges and liabilities which otherwise would be a development risk. It is therefore acknowledged and agreed that should a third party legal challenge be instituted against the City, or any of its elected and appointed officers, officials, employees, agents, and authorized representatives, in undertaking the procedural steps in the consideration or approval of this Agreement, that UCM shall indemnify, protect, defend with counsel selected by UCM and reasonably acceptable to the City, and hold harmless the City, any it's elected and

appointed officers, officials, employees, agents, and authorized representatives for any and loss, cost, and expense of such third party legal challenge. City shall have an affirmative obligation to notify UCM of any such legal challenge within ten (10) business days of being served with notice of such legal challenge and to thereafter cooperate fully in the defense thereof. In connection with UCM's indemnity obligations, City shall not (i) file any documents with the court of jurisdiction; or (ii) participate in or conclude any settlement discussions, without, in each case, the express written consent of UCM

b. UCM, pursuant to Government Code Section 895.4 and except as otherwise stated herein, shall indemnify, protect, defend, and hold harmless the City and its elected and appointed officers, officials, employees, agents, and authorized representatives, from all costs (including reasonable attorneys' fees, costs, and expenses), claims, demands, or liabilities, judgments for injury or damage to property and injuries to persons as defined by Government Code Section 810.8 including, without limitation, the injury or death of any person or liability for property damage which arises or occurs from UCM's performance under this Agreement whether such damage, loss, claim, liability, cause of action or suit is discovered before or after termination of this Agreement unless the same is caused by City's negligent or intentional acts. It is understood that the duty of UCM to indemnify and hold harmless City includes the duty to defend as set forth in Section 2778 of the California Civil Code. This indemnification and hold harmless clause shall apply to any damages or claims for damages whether or not any applicable insurance policy or policies shall have been determined to apply. By execution of this Agreement, UCM acknowledges and agrees that the provisions of this Section are a material element of consideration for City's agreement to perform under this Agreement.

Section 13. Cooperation of Parties.

a. UCM agrees to provide environmental and annexation-related information, data, and analysis in the University's possession for the purposes of LAFCO applications for service provision, and for future annexation processing.

b. UCM shall dedicate to City, at no cost, any easements, well sites, pump station sites, sampling equipment sites, or any other sites needed for the Project, in accordance with Final Engineering Design.

Section 14. Termination.

a. Termination by City.

1. Termination generally. City may terminate this Contract by written notice to UCM due to any material breach or violation of the terms and conditions of this Contract, after having first provided written notice to UCM of said material breach, after which UCM shall have thirty (30) days to cure such breach. If such breach is not susceptible to cure within thirty (30) days, then UCM shall complete a cure within such longer period as is reasonable for such cure, provided that UCM has diligently initiated and pursued said cure within the initial thirty (30) day period. In the event the cure for a breach will take longer than thirty (30) days, UCM shall seek City's approval of the proposed cure prior to commencing with the proposed cure. At such termination, UCM shall pay within thirty (30) days all then outstanding Project Costs, including an amount sufficient to pay all then outstanding amounts owed under the Permanent Financing Capital Facilities Fee Agreement and any outstanding Sewer Monthly Service Charge and Water Monthly Service Charge.

b. Termination by UCM.

1. Termination generally. UCM may terminate this Contract by written notice to City due to any material breach or violation of the terms and conditions of this Contract, after having first provided written notice to City of said material breach, after which City shall have thirty (30) days to cure such breach, and on such termination UCM shall have no further liability or obligation with respect to the Project Costs or the Project Financing. If such breach is not susceptible to cure within thirty (30) days, then City shall complete a cure within such longer period as is reasonable for such cure, provided that City has diligently initiated and pursued said cure within the initial thirty (30) day period. In the event the cure for a breach will take longer than thirty (30) days, City shall seek UCM's approval of the proposed cure prior to commencing with the proposed cure. Construction-related delays, including those in

the Force Majeure clause, shall not be considered to be a material breach of this Contract so long as City is demonstrating due diligence in enforcing its contract with the actual construction contractor.

c. Termination after Commencement of Project Construction.

1. Post construction termination. UCM may terminate this Contract for any reason following the completion of Project Construction, prior to the expiration of the term of the Project Financing, only upon the payment of all Project Costs, including an amount sufficient to pay all then outstanding Project Financing, including any accrued interest, charges, premiums, or prepayment penalties. Following repayment in full of the Project Financing, UCM may terminate this contract upon 180 days written notice to City without penalty. Notwithstanding this right to post construction termination, UCM agrees that it will not invoke its right provided in this Section 14(c)(1) for a minimum of ten (10) years following execution of this Updated Contract by both parties.

Section 15. Compliance with California Environmental Quality

Act.

a. City and UCM agree the City will utilize (1) City's 2011 Environmental Impact Report certified by the City Council by Resolution No. 2011-63 adopted on October 17, 2011 for the Merced Vision 2030 General Plan, (2) the 2009 Certified Environmental Impact Statement/Environmental Impact Report ("EIS/EIR") prepared by UCM for the 2009 Long Range Development Plan, (3) Addendum No. 6 to the 2009 Long Range Development Plan EIS/EIR ("2013 Addendum") prepared by UCM for the Revised 2020 Project, (4) the City's 2006 Environmental Impact Report for the City of Merced's Wastewater Treatment Plant Upgrade and Expansion Project certified by the City Council by Resolution No. 2006-147 adopted on December 18, 2006, and (5) any other relevant environmental documentation prepared by or previously utilized by the City to satisfy any CEQA requirements associated with the extension of services to the Revised 2020 Project.

b. Commitments to pursue particular land uses, utilities, and public improvements and services may be subject to CEQA when required pursuant to CEQA Guidelines Section 15162.

c. City and UCM agree that the opportunity for notice regarding any proposed amendment to the Revised 2020 Project as set forth in LRDP approved by University of California Board of Regents on May 15, 2013, is important to the City as the City is responsible for the provision of certain services to UCM pursuant to this Agreement. UCM will provide to the City a minimum of ten (10) days written notice prior to any meeting where the Regents will consider a proposed amendment to the Revised 2020 Project as set forth in the LRDP. The Parties agree that City may comment on any proposed amendment to the Revised 2020 Project prior to or as part of the meeting at which the University of California Board of Regents considers the proposed amendment. Such notice shall be provided in writing to City in accordance with Section 16(l). The Parties further acknowledge that UCM maintains a publicly available list of proposed and approved development projects and the related CEQA compliance documentation for those projects on the UCM website. The link for the list is: <http://lrdp.ucmerced.edu/2.asp?uc=1&lv12=54&contentid=55> UCM shall commence a public outreach list that the City may subscribe to that notifies the City every time the list is updated. UCM acknowledges and agrees that the website and the subscription feature will be maintained during the term of this Agreement, and any extension thereto, and that the following actions, at a minimum, will be posted on the website:

1. Any amendment to the LRDP; and,
2. Any Notice of Preparation, Notice of Completion, Notice of Exemption, Notice of Determination or Addendum all of which relate to Phase One or the Revised 2020 Project.

d. It is agreed by the City and UCM that UCM's defense and indemnity obligations set forth in Section 12(b) hereof apply to City's actions in approving this Contract, including any actions taken pursuant to CEQA. In addition, it is agreed by the City and UCM that UCM's defense and indemnity obligations set forth in Section 12 (b) hereof also apply to any contractual defense and indemnity obligations the City is required to undertake as a result of the requirements and conditions of the Merced County Local Agency Formation Commission in considering and approving the extension of services to UCM's Revised Project 2020 area and out of bounds service thereto.

Section 16. Other Provisions

a. **Successors.** This Contract is binding on and shall inure to the benefit of and be binding upon the parties hereto and their respective successors in interest as more fully set forth herein. A successor in interest shall not be entitled to receive any benefits under this Contract until the successor agrees in writing to be bound by this Contract.

b. **Authority.** The individuals executing this Contract hereby represent and warrant that each of them has the authority to enter into this Contract and to perform all acts required by this Contract, and that the consent, approval or execution of or by any third party is not required to legally bind either party to the terms and conditions of this Contract.

c. **Governing Law.** This Contract shall be governed by and interpreted in accordance with the laws of the State of California with venue proper only in the County of Merced, State of California.

d. **Attorney's Fees.** If any action, at law or in equity, including any action for declaratory relief, and including any arbitration or mediation, is brought to enforce or interpret the provisions of this Contract, the prevailing party shall be entitled to recover from the non-prevailing party reasonable attorney's fees and costs of suit, which shall be determined by the court, the arbitrator or the mediator in the same or separate action brought for that purpose.

e. **Interpretation.** The provisions and language of this Contract shall be interpreted in accordance with the plain meaning thereof and shall not be construed for or against any of the parties hereto.

f. **Good Faith.** The parties agree to exercise their best efforts and utmost good faith to effectuate all the terms and conditions of this Contract and to execute such further instruments and documents as are necessary or appropriate to effectuate all of the terms and conditions of this Contract.

g. **Headings.** The headings used in this Contract are for convenience and reference only and shall not be utilized in the construction of the terms or provisions of this Contract.

h. Severability. If any term, provision, covenant or condition of this Contract shall be or become illegal, null, void or against public policy, or shall be held by any court of competent jurisdiction to be illegal, null or void or against public policy, the remaining provisions of this Contract shall remain in full force and effect and shall not be affected, impaired, or invalidated. The term, provisions, covenant or condition that is so invalidated, voided or held to be unenforceable, shall be modified or changed by the parties to the extent possible to carry out the intentions and directives set forth in this Contract.

i. Counterparts. This Contract may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which shall constitute one and the same instrument. No counterpart shall be deemed to be an original or presumed delivered unless and until the counterparts executed by the other party hereto are in the physical possession of the party seeking enforcement thereof.

j. Assignment. Except as expressly provided herein, no party shall have the right to assign its rights or delegate any of its obligations or duties hereunder without the express written consent of the other party which consent shall not be unreasonably withheld.

k. Waiver. The waiver of any breach of any provision hereunder by any party to this Contract shall not be deemed to be a waiver of any preceding or subsequent breach hereunder, nor shall any waiver constitute a continuing waiver. No waiver shall be binding unless executed in writing by the party making the waiver.

l. Notices. All notices, approvals, acceptances, demands and other communications required or permitted hereunder, to be effective, shall be in writing and shall be delivered either in person or by mailing the same by United States mail (postage prepaid, registered or certified, return receipt requested) or by Federal Express or other similar overnight delivery service to the party to whom the notice is directed at the address of each such party as follows:

To: City of Merced
678 West 18th Street
Merced, CA 95340
Attn: City Clerk
Phone: (209) 385-4780

University of California, Merced
Attn: Chancellor
P.O. Box 2039
Merced, CA 95344
Phone: (209) 228-4414

Copy: City of Merced
678 West 18th Street
Merced, CA 95340
Attn: City Manager
Phone: (209) 385-6834

Copy:
Office of General Counsel
University of California
1111 Franklin Street, Office 8104
Oakland, CA 94607-5200

Copy: City of Merced
678 West 18th Street
Merced, CA 95340
Attn: City Attorney
Phone: (209) 385-6868

Any written communication given by mail shall be deemed delivered two (2) business days after such mailing date and any written communication given by overnight delivery service shall be deemed delivered one (1) business day after the dispatch date. Either party may change its address by giving the party written notice of its new address as herein provided.

m. Amendment. Amendments to this Contract and its terms and conditions shall only be made by written mutual agreement of the parties and signed by a duly authorized official representing each party, provided, however, as to the City any amendment to this Contract must first be approved by the City Council at a duly noticed public meeting. No provision of this Contract affecting rights and responsibilities under the Capital Facilities Financing Agreement shall be amended without the prior written approval of the CIEDB.

n. Entire Agreement. This Contract constitutes the entire agreement between the parties and supersedes any prior negotiations, agreements, and understandings of the parties, relating to the subject matter of this Agreement.

o. Condition Precedent to Operation of Contract. The obligation of the City to construct the Project or provide sewer and water service to UCM, and

the obligation of UCM to accept water and sewer service from City, do not operate until a commitment for Project Financing is acquired from a Provider of Financing acceptable to both City and UCM.

p. Recording. This Contract shall be recorded on the subject property, which is any parcel comprising or included in Phase One or the Revised 2020 Project of the UCM Campus, in the Official Records of Merced County.

q. Conflict with Capital Facility Fee Agreement. If any provision of this Contract conflicts with any provision of the Capital Facility Fee Agreement, the Capital Facility Fee Agreement shall prevail.


IN WITNESS WHEREOF, the parties have executed this Contract on the dates set forth below. The date of approval of this Contract shall be the date of execution by the party signing last.

CITY OF MERCED



MAYOR

4/29/2016
DATE

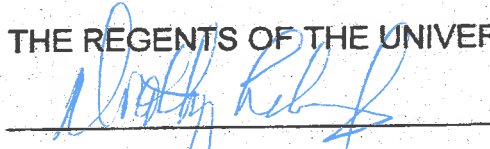
ATTEST:


City Clerk

Approved as to Form:


City Attorney

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA


Chancellor
University of California, Merced
2527379.2

4/28/16
DATE



ATTACHMENT 1

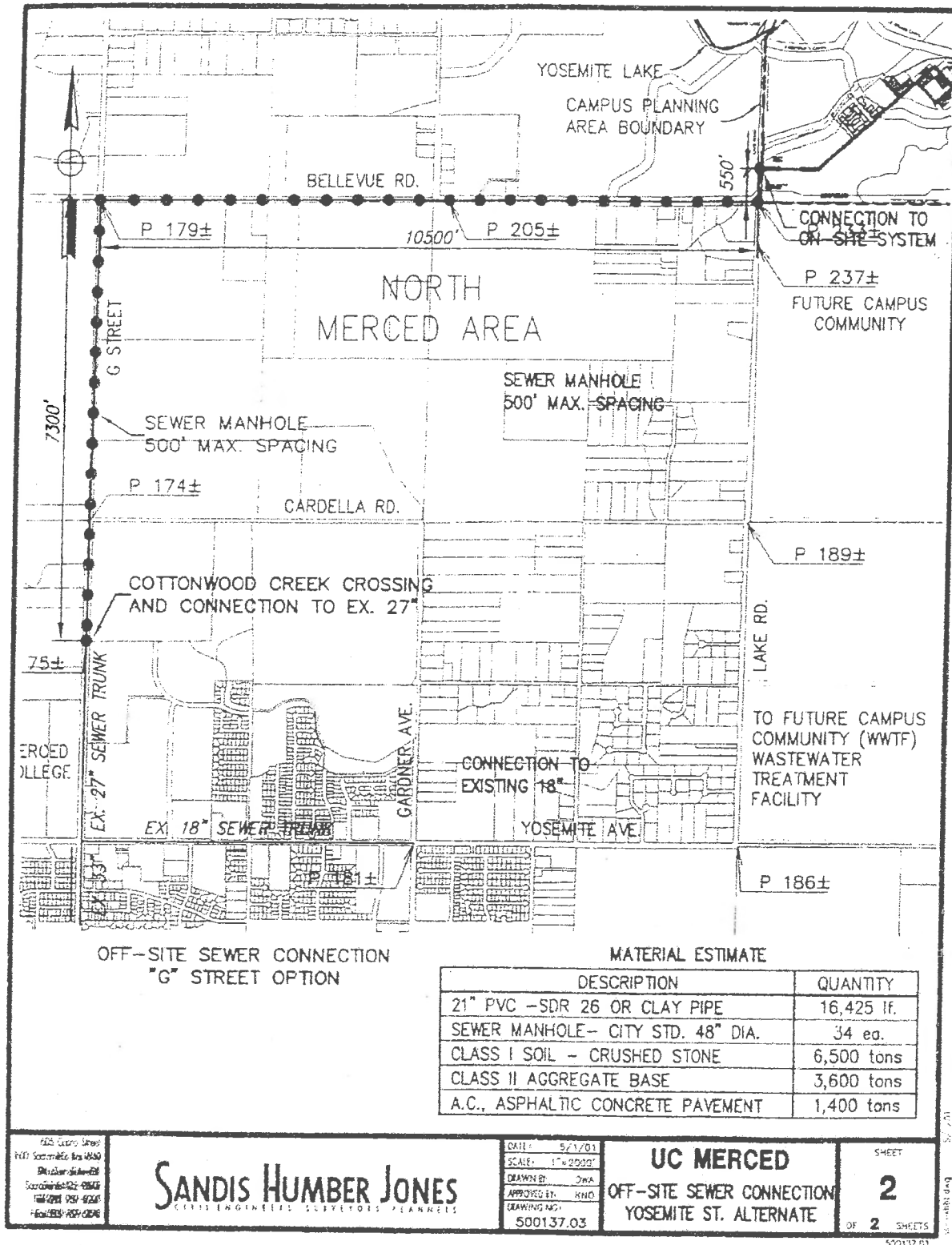


Exhibit B

Description of Facilities

Water. The Facilities include a sixteen (16) inch water line extended northerly from the present terminus of the City water lines, in North G Street near Cormorant Drive. This water line shall be extended north in G Street to Bellevue Road, and then east along Bellevue Road to a connection point near the boundary of the Phase One UCM Campus near the intersection of Bellevue and Lake Roads.

The City water line shall connect to the Phase One UCM Campus water system through a metered connection, and thence to a UCM storage tank, located on Phase One UCM Campus near the corner of Bellevue and Lake Roads. Said storage tank shall be constructed and owned by UCM as part of its distribution system and the City shall have no maintenance responsibility for the tank. The City water supply line shall discharge to the UCM storage tank through an air gap or double check valve assembly so that the City and UCM water distribution systems are separate from an operational standpoint. UCM shall provide its own on-campus water booster pump to maintain adequate pressures, and such pump shall not be provided as part of this Facilities. A City well shall be located on the UCM campus, and the well site shall be dedicated to the City at no additional charge or cost by The Regents, including value of the real property so dedicated. However, the well is not part of the Facilities nor considered part of Project Costs, but will be developed at the City's expense.

Sewer. The Facilities include a sanitary sewer line to be extended northerly from the present terminus of the City sewer lines, in North G Street near Cormorant Drive. The size of the line at its current terminus is twenty-seven (27) inches. A twenty-seven (27) inch sewer line shall be extended north in G Street to Cardella Road; the line becomes twenty-four (24) inches from Cardella Road to a point on Bellevue Road approximately 2,300 feet east of North G Street, and shall then be twenty-one (21) inches in size along Bellevue Road to a connection point near the boundary of the UCM Campus near the intersection of Bellevue and Lake Roads.

ATTACHMENT 2

ATTACHMENT 2

ucsewer-waterbgt3

2/10/03

Non-Binding Project Budget University of California Water and Sewer Project

	Sewer	Water	Total		
Land					
1 Property Purchase		0	0		
2 Demolition & clearance	0		0		
3 Environmental surveys			0		
	0	0	0		
Construction					
4 Sanitary sewer lines	4,256,000		4,256,000		
5 Water lines		1,478,400	1,478,400		
6 Pump station		0	0		
7 Well		0	0		
	4,256,000	1,478,400	5,734,400		
Capacity fees					
8 North Merced Sewer Assessment	251,371		251,371		
9 Sewer Facilities Charges	104,780		104,780		
10 Water Facilities Charges		557,404	557,404		
	356,151	557,404	913,555		
Professional services					
11 Contracted engrng, design, envr (CH2M)	279,000	290,000	569,000	10%	569,000
12 Permit fees (encroachment, CEQA, etc.)	12,768	4,435	17,203		
13 City engrng, insp, testing (2%)	85,120	29,568	114,688		114,688
14 City administration (.6%)	25,536	8,870	34,406		34,406
	402,424	332,874	735,298		
Financing					
15 Permanent loan fees	49,408	22,842	72,250	0.85%	
17 Additional fees	17,096	7,904	25,000		
18 Capitalized interim interest expense	294,712	136,247	430,959		
	361,217	166,992	528,209		
Contingency					
19 Construction contingency (10%)	425,800	147,840	573,440		
20 Other project contingency (2%)	18,232	6,924	25,156		6,332,995
Totals	5,819,624	2,690,434	8,510,058		
	5,458,407	2,523,442	7,981,849		

Notes:

1. Construction cost estimates based on estimates by Sandis Humber Jones, Kennedy Jenks, and UC Physical Planning staff.
2. Capacity fee estimates based on City of Merced estimates.
3. Professional services estimates by City of Merced.
4. Financing estimates by City of Merced, based on information from lenders.

Other Costs Paid by City of Merced (Not part of Project Financing)

Pump station	250,000	
Well	1,200,000	
Contract engineering (CH2M)	32,984	
City engineering, inspection, testing (2%)	29,000	
	<u>1,511,984</u>	

ATTACHMENT 3

Sewer Facilities Charges
University of California Water and Sewer Project

Year	Projected Enrollment (1)	Projected Enrollment Increase(2)	Charge Per Student (3)	Total Charge (4)
2015	-	368	\$556	204,608
2016	-	751	\$556	417,556
2017	-	604	\$556	335,824
2018	-	751	\$556	417,556
2019	-	693	\$556	385,308
2020 (5)	-	550	\$556	305,800

NOTES:

1. Project enrollment is based upon the University of California Long Range Development Plan.

The fall enrollment estimate was used for the above example calculation of fees. Effective with academic year 2015-2016 and thereafter, the Sewer Facilities Charge fee discussed in this Attachment 3 shall be calculated based on the average fall and spring student FTE enrollment compared to the average fall and spring student FTE enrollment for the prior fiscal year (July 1 through June 30). The enrollment increase shall be calculated initially based on the number of actual FTE students enrolled in the fall quarter minus the average of fall and spring actual FTE student enrollment for the prior academic year. FTE student enrollment is calculated by dividing student credit hours ("SCH") by a full time study load to determine how many full time students would generate the same instructional workload. Student credit hours (SCH) are the sum of the units earned by all students enrolled in classes. For this purpose, a full time equivalent study load is defined as:

45 SCH per year (15 units per quarter for three quarters) for undergraduates (e.g., 450 undergraduate SCH are equivalent to 10 full time equivalent student enrollment).

36 (SCH) per year (12 units per quarter for three quarters) for a graduate student.

2. UC shall pay the Sewer Facility Charge based on the fall actual FTE student enrollment for that academic year no later than September 30th of each year. The formula for calculating this payment is as follows:

Charge Per Student Per Merced Municipal Code Chapter 15.16 (Effective ____/____ 2015)	X	Fall Quarter FTE Student Enrollment	Average Fall/Spring FTE Student Enrollment For Prior Academic Year	=	Sewer Facility Charge (Fall Payment)
--	---	---	--	---	--

[1]

Not later than May 30th of each year, UC shall determine the spring quarter FTE student enrollment and shall calculate the average FTE fall/spring student enrollment for that academic year. In the event, that average fall/spring FTE student enrollment is less than the fall enrollment, UC shall receive a credit against the Sewer Facilities Charge fee payable for the next academic year determined by multiplying the charge per student paid for academic year in which the fee was paid by the difference in the average fall/spring FTE student enrollment and the fall FTE student enrollment. In the event, that average fall/spring FTE student enrollment is greater than the fall enrollment, UC shall pay the City an amount determined by multiplying the charge per student paid for that academic year by the difference in the average fall/spring FTE student enrollment and the fall FTE student enrollment for that year. The amount of credit/charge shall be based on the charge per student used to calculate the original amount of the Sewer Facility Charge (Fall Payment). The formula for calculating the credit/charge is as follows:

Charge Per Student for Same Academic Year	X	Fall FTE Student Enrollment – Same Academic Year	Fall/Spring FTE Student Enrollment – Same Academic Year (If the Fall/Spring FTE is greater than Fall FTE then the amount from this column is the difference Fall/Spring FTE and the Fall FTE for that same academic year)	=	Sewer Facility Charge Credit/Charge
---	---	--	---	---	-------------------------------------

3. The charge per student is \$556 at the date of this Contract. However, it is subject to change computed by a price index according to Chapter 15.16 of the Merced Municipal Code, so **rates are subject to increase**. Those shown here are illustrative of a payment at the date of this Contract.
4. **Total charge is also subject to increase**, as in Note 2 above.
5. Charges are shown through the Year 2020.

2424717.2 (092515)

ATTACHMENT 4

Attachment 4

Map of Phase One, UCM Campus

and

Map of Revised 2020 Project, UCM Campus –
Illustrative of Boundaries of Revised 2020 Project, UCM Campus Only

EXHIBIT 'A'

University of California, Merced Boundary of the Phase 1 Project Area

All that real property situate in the County of Merced, State of California, lying and being within Section 34, Township 6 South, Range 14 East, M.D.M., being a portion of the lands granted to the Regents of the University of California, a California public corporation in that certain grant deed filed in the office of the County Recorder of Merced County as Document No. 2002-012594 and as shown on that certain Record of Survey for the "University of California Merced Campus", filed in the office of the County Recorder of Merced County in Book 37 of Surveys, Pages 23-26 and further being a portion of Parcels 1, 2, and 3, as shown on that certain Parcel Map for "Merced Community Golf Association, being a Division of Parcel 2 according to Parcel Map for Merced County Board of Education as Trustee of the Testamentary Trust of Virginia Smith Book 59 Parcel Maps, Page 1 M.C.R.", filed in the office of the County Recorder of Merced County in Book 83 of Parcel Maps, Pages 9-12 and being more particularly described as follows:

COMMENCING at a 2" iron pipe set in a monument well and accepted as the Southwest corner of said Section 34 as shown on said Record of Survey; thence along the West line of said lands of the Regents of the University of California, North 01°07'48" East, 78.67 feet to the true **POINT OF BEGINNING**; thence continuing along the West and Northwesterly line of said lands of the Regents of the University of California, being also the West and Northwesterly line of said Parcel 2 as shown in Book 59 of Parcel Maps, Page 1 the following eight (8) courses:

1. North 01°07'48" East, 792.89 feet; thence
2. North 55°13'43" East, 243.36 feet; thence
3. North 72°47'31" East, 822.80 feet; thence
4. North 54°05'52" East, 159.13 feet; thence
5. North 35°48'37" East, 372.62 feet; thence
6. North 48°18'50" East, 373.01 feet; thence
7. South 41°40'18" East, 52.28 feet; thence
8. North 49°00'21" East, 289.69 feet; thence

leaving said Northwesterly line and running in a generally Easterly direction the following nine (9) courses:

1. North 79°06'27" East, 286.58 feet; thence
2. North 62°23'58" East, 442.11 feet; thence
3. North 84°18'16" East, 479.34 feet; thence
4. South 69°05'09" East, 232.10 feet; thence
5. North 89°09'17" East, 128.81 feet; thence
6. North 75°29'52" East, 197.31 feet; thence
7. North 36°52'26" East, 16.33 feet; thence
8. South 87°30'48" East, 32.30 feet; thence
9. South 63°30'55" East, 440.18 feet;

thence running in a generally Southerly and Westerly direction along the following forty seven (47) courses:

1. South 05°11'40" West, 74.10 feet; thence

EXHIBIT 'A'

2. South 23°21'25" East, 40.08 feet; thence
3. South 63°26'06" West, 24.62 feet; thence
4. South 00°00'00" West, 65.32 feet; thence
5. South 45°00'01" West, 27.71 feet; thence
6. South 86°18'31" West, 202.92 feet; thence
7. South 65°53'52" West, 271.94 feet; thence
8. South 63°26'04" West, 29.21 feet; thence
9. South 59°02'10" West, 38.09 feet; thence
10. South 07°07'30" West, 52.67 feet; thence
11. South 09°27'45" East, 39.73 feet; thence
12. South 08°07'48" East, 46.19 feet; thence
13. South 29°03'17" East, 67.25 feet; thence
14. South 45°00'00" West, 157.05 feet; thence
15. South 87°42'34" West, 163.44 feet; thence
16. South 59°02'11" West, 76.18 feet; thence
17. South 70°20'46" West, 97.11 feet; thence
18. South 60°15'18" West, 52.67 feet; thence
19. South 45°00'00" West, 36.95 feet; thence continuing
20. South 45°00'00" West, 46.19 feet; thence
21. South 54°27'44" West, 56.19 feet; thence
22. South 28°36'38" West, 81.85 feet; thence
23. South 11°18'36" West, 33.31 feet; thence
24. South 03°34'35" West, 104.72 feet; thence
25. South 36°52'12" West, 65.32 feet; thence
26. South 80°08'03" West, 152.50 feet; thence
27. North 48°00'46" West, 87.88 feet; thence
28. North 78°41'24" West, 66.62 feet; thence
29. South 90°00'00" West, 78.39 feet; thence
30. South 79°59'31" West, 112.77 feet; thence
31. South 55°18'17" West, 103.29 feet; thence
32. South 41°11'09" West, 69.44 feet; thence
33. South 21°02'15" West, 90.99 feet; thence
34. South 12°31'43" West, 60.23 feet; thence
35. South 63°26'06" West, 116.85 feet; thence
36. South 06°20'25" East, 177.46 feet; thence
37. South 77°00'20" West, 87.15 feet; thence
38. South 26°33'54" East, 73.03 feet; thence
39. South 27°24'27" West, 198.67 feet; thence
40. South 83°17'25" West, 111.82 feet; thence
41. South 82°24'19" West, 98.85 feet; thence
42. South 90°00'00" West, 19.60 feet; thence
43. North 85°14'11" West, 78.66 feet; thence
44. South 26°33'55" West, 58.43 feet; thence
45. South 11°18'35" West, 66.62 feet; thence
46. South 08°07'49" West, 46.19 feet; thence
47. South 07°35'41" East, 35.68 feet;

EXHIBIT 'A'

thence parallel with the South line of said Section 34, North 89°50'14" West, 1604.33 feet to the POINT OF BEGINNING, containing 102.001 acres, more or less.

The Basis of Bearings for this description is the California Coordinate System, NAD 83, Zone 3 as defined on that certain Record of Survey filed in the office of the County Recorder of Merced County in Book 37 of Surveys, Pages 23-26. Distances given herein are grid distances. Multiply the grid distance by 1.000045 to obtain ground distances.

End of Description

This description has been prepared by me or under my direct supervision in connection with the University of California, Merced Campus "Phase 1 Project".


Kevin A. Heeney, PLS 5914

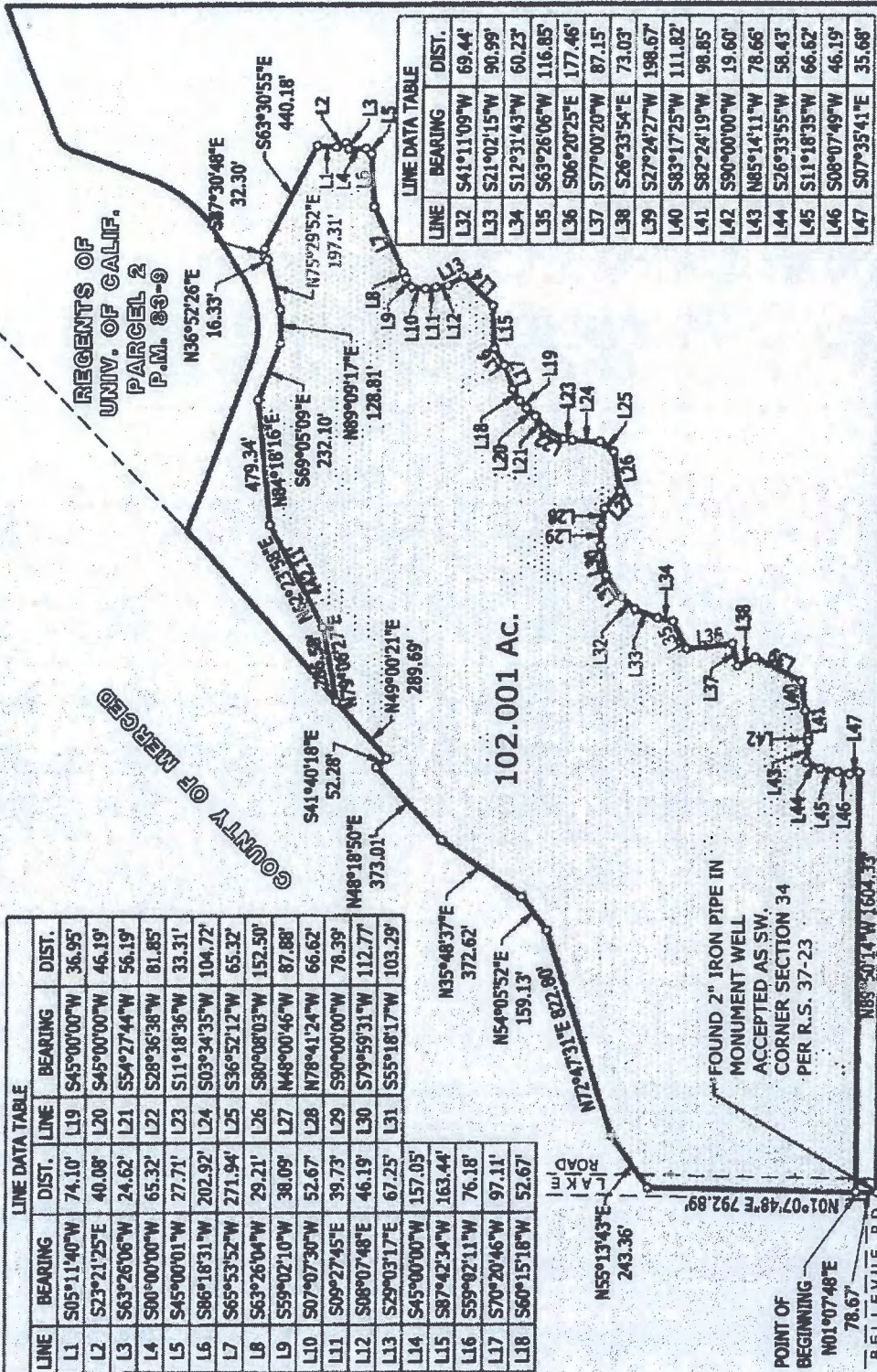


12/23/2015
Date

LINE DATA TABLE					
LINE	BEARING	DIST.	BEARING	DIST.	
L1	S05°11'40"W	74.10'	L19	S45°00'00"W	36.95'
L2	S23°21'25"E	40.08'	L20	S45°00'00"W	46.19'
L3	S63°26'06"W	24.62'	L21	S54°27'44"W	56.19'
L4	S00°00'00"W	65.32'	L22	S28°36'38"W	81.85'
L5	S45°00'01"W	27.71'	L23	S11°18'36"W	33.31'
L6	S86°18'31"W	202.92'	L24	S03°34'35"W	104.72'
L7	S65°53'52"W	271.94'	L25	S36°52'12"W	65.32'
L8	S63°26'04"W	29.21'	L26	S80°08'03"W	152.50'
L9	S59°02'10"W	38.09'	L27	N48°00'46"W	87.88'
L10	S07°07'30"W	52.67'	L28	N78°41'24"W	56.62'
L11	S09°27'45"E	39.73'	L29	S90°00'00"W	78.39'
L12	S08°07'48"E	46.19'	L30	S79°59'31"W	112.77'
L13	S29°03'17"E	67.25'	L31	S55°18'17"W	103.29'
L14	S45°00'00"W	157.05'			
L15	S87°42'34"W	163.44'			
L16	S59°02'11"W	76.18'			
L17	S70°20'46"W	97.11'			
L18	S60°15'18"W	52.67'			

N35°48'37"E
372.62'
N54°05'52"E
159.13'

LINE DATA TABLE			
LINE	BEARING	DIST.	
L32	S41°11'09"W	69.44'	
L33	S21°02'15"W	90.99'	
L34	S12°31'43"W	60.23'	
L35	S63°26'06"W	116.85'	
L36	S06°20'25"E	177.46'	
L37	S77°00'20"W	87.15'	
L38	S26°33'54"E	73.03'	
L39	S27°24'27"W	198.67'	
L40	S83°17'25"W	111.82'	
L41	S82°24'19"W	98.85'	
L42	S90°00'00"W	19.60'	
L43	N85°14'11"W	78.66'	
L44	S26°33'55"W	58.43'	
L45	S11°18'35"W	66.62'	
L46	S08°07'49"W	46.19'	
L47	S07°35'41"E	35.68'	



Plat to Accompany Legal Description
PHASE 1 CAMPUS BOUNDARY
UNIVERSITY OF CALIFORNIA, MERCED
 OWNER:
 Regents of the University of California
cta Engineering & Surveying

12/23/2015 DRAWN BY: KAH SHEET 1 OF 1
 SCALE: 1"=600' JOB NO. 13-026-001
 BEING A PORTION OF PARCELS 1, 2 & 3
 OF PARCEL MAP BK. 83, PG. 9
 LYING WITHIN
 SECTION 34, T. 6 S., R. 14 E., M.D.M.
 COUNTY OF MERCED STATE OF CALIFORNIA

DATE: 12/23/2015

EXHIBIT 'A'

University of California, Merced Boundary of the 2020 Project Area

All that real property situate in the County of Merced, State of California, lying and being within Section 34, Township 6 South, Range 14 East, M.D.M., being a portion of the lands granted to the Regents of the University of California, a California public corporation in that certain grant deed filed in the office of the County Recorder of Merced County as Document No. 2002-012594 and as shown on that certain Record of Survey for the "University of California Merced Campus", filed in the office of the County Recorder of Merced County in Book 37 of Surveys, Pages 23-26 and further being a portion of Parcels 1, 2, and 3, as shown on that certain Parcel Map for "Merced Community Golf Association, being a Division of Parcel 2 according to Parcel Map for Merced County Board of Education as Trustee of the Testamentary Trust of Virginia Smith Book 59 Parcel Maps, Page 1 M.C.R.", filed in the office of the County Recorder of Merced County in Book 83 of Parcel Maps, Pages 9-12 and being more particularly described as follows:

BEGINNING at a 2" iron pipe set in a monument well and accepted as the Southwest corner of said Section 34 as shown on said Record of Survey; thence along the South line of said lands of the Regents of the University of California, being also the South line of said Section 34, South 89°50'14" East, 4540.28 feet; thence leaving said South line, North 00°00'09" West, 3328.83 feet to the approximate centerline of an existing canal; thence along the approximate centerline of said canal the following seven (7) courses:

1. South 68°28'36" West, 529.68 feet; thence
2. along the arc of a curve to the left, having a radius of 100.00 feet, the chord of which bears South 44°31'14" West, 81.21 feet; thence
3. South 20°33'52" West, 311.34 feet; thence
4. along the arc of a curve to the right, having a radius of 500.00 feet, the chord of which bears South 39°29'03" West, 324.24 feet; thence
5. South 58°24'14" West, 209.79 feet; thence
6. along the arc of a curve to the right, having a radius of 365.00 feet, the chord of which bears South 84°19'10" West, 319.04 feet; thence
7. North 69°45'54" West, 688.80 feet to a point on the Northwesterly line of said Regents of the University of California land; thence

along said Northwesterly line the following two (2) courses:

1. South 46°18'50" West, 83.50 feet; thence
2. South 49°00'21" West, 781.81 feet; thence

leaving said Northwesterly line and running in a generally Easterly direction the following nine (9) courses:

1. North 79°06'27" East, 286.58 feet; thence
2. North 62°23'58" East, 442.11 feet; thence
3. North 84°18'16" East, 479.34 feet; thence
4. South 69°05'09" East, 232.10 feet; thence
5. North 89°09'17" East, 128.81 feet; thence
6. North 75°29'52" East, 197.31 feet; thence
7. North 36°52'26" East, 16.33 feet; thence

EXHIBIT 'A'

8. South 87°30'48" East, 32.30 feet; thence
9. South 63°30'55" East, 440.18 feet;
thence running in a generally Southerly and Westerly direction along the following forty seven (47) courses:

1. South 05°11'40" West, 74.10 feet; thence
2. South 23°21'25" East, 40.08 feet; thence
3. South 63°26'06" West, 24.62 feet; thence
4. South 00°00'00" West, 65.32 feet; thence
5. South 45°00'01" West, 27.71 feet; thence
6. South 86°18'31" West, 202.92 feet; thence
7. South 65°53'52" West, 271.94 feet; thence
8. South 63°26'04" West, 29.21 feet; thence
9. South 59°02'10" West, 38.09 feet; thence
10. South 07°07'30" West, 52.67 feet; thence
11. South 09°27'45" East, 39.73 feet; thence
12. South 08°07'48" East, 46.19 feet; thence
13. South 29°03'17" East, 67.25 feet; thence
14. South 45°00'00" West, 157.05 feet; thence
15. South 87°42'34" West, 163.44 feet; thence
16. South 59°02'11" West, 76.18 feet; thence
17. South 70°20'46" West, 97.11 feet; thence
18. South 60°15'18" West, 52.67 feet; thence
19. South 45°00'00" West, 36.95 feet; thence continuing
20. South 45°00'00" West, 46.19 feet; thence
21. South 54°27'44" West, 56.19 feet; thence
22. South 28°36'38" West, 81.85 feet; thence
23. South 11°18'36" West, 33.31 feet; thence
24. South 03°34'35" West, 104.72 feet; thence
25. South 36°52'12" West, 65.32 feet; thence
26. South 80°08'03" West, 152.50 feet; thence
27. North 48°00'46" West, 87.88 feet; thence
28. North 78°41'24" West, 66.62 feet; thence
29. South 90°00'00" West, 78.39 feet; thence
30. South 79°59'31" West, 112.77 feet; thence
31. South 55°18'17" West, 103.29 feet; thence
32. South 41°11'09" West, 69.44 feet; thence
33. South 21°02'15" West, 90.99 feet; thence
34. South 12°31'43" West, 60.23 feet; thence
35. South 63°26'06" West, 116.85 feet; thence
36. South 06°20'25" East, 177.46 feet; thence
37. South 77°00'20" West, 87.15 feet; thence
38. South 26°33'54" East, 73.03 feet; thence
39. South 27°24'27" West, 198.67 feet; thence
40. South 83°17'25" West, 111.82 feet; thence
41. South 82°24'19" West, 98.85 feet; thence
42. South 90°00'00" West, 19.60 feet; thence

EXHIBIT 'A'

- 43. North 85°14'11" West, 78.66 feet; thence
- 44. South 26°33'55" West, 58.43 feet; thence
- 45. South 11°18'35" West, 66.62 feet; thence
- 46. South 08°07'49" West, 46.19 feet; thence
- 47. South 07°35'41" East, 35.68 feet;

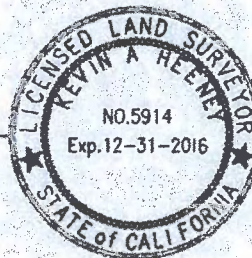
thence parallel with the South line of said Section 34, North 89°50'14" West, 1604.33 feet to the West line of said Section 34 and the lands of the Regents of the University of California; thence along said West line, South 01°07'48" West, 78.67 feet to the **POINT OF BEGINNING**, containing 117.057 acres, more or less.

The Basis of Bearings for this description is the California Coordinate System, NAD 83, Zone 3 as defined on that certain Record of Survey filed in the office of the County Recorder of Merced County in Book 37 of Surveys, Pages 23-26. Distances given herein are grid distances. Multiply the grid distance by 1.000045 to obtain ground distances.

End of Description

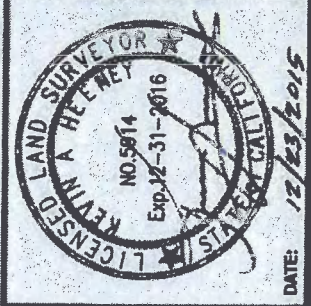
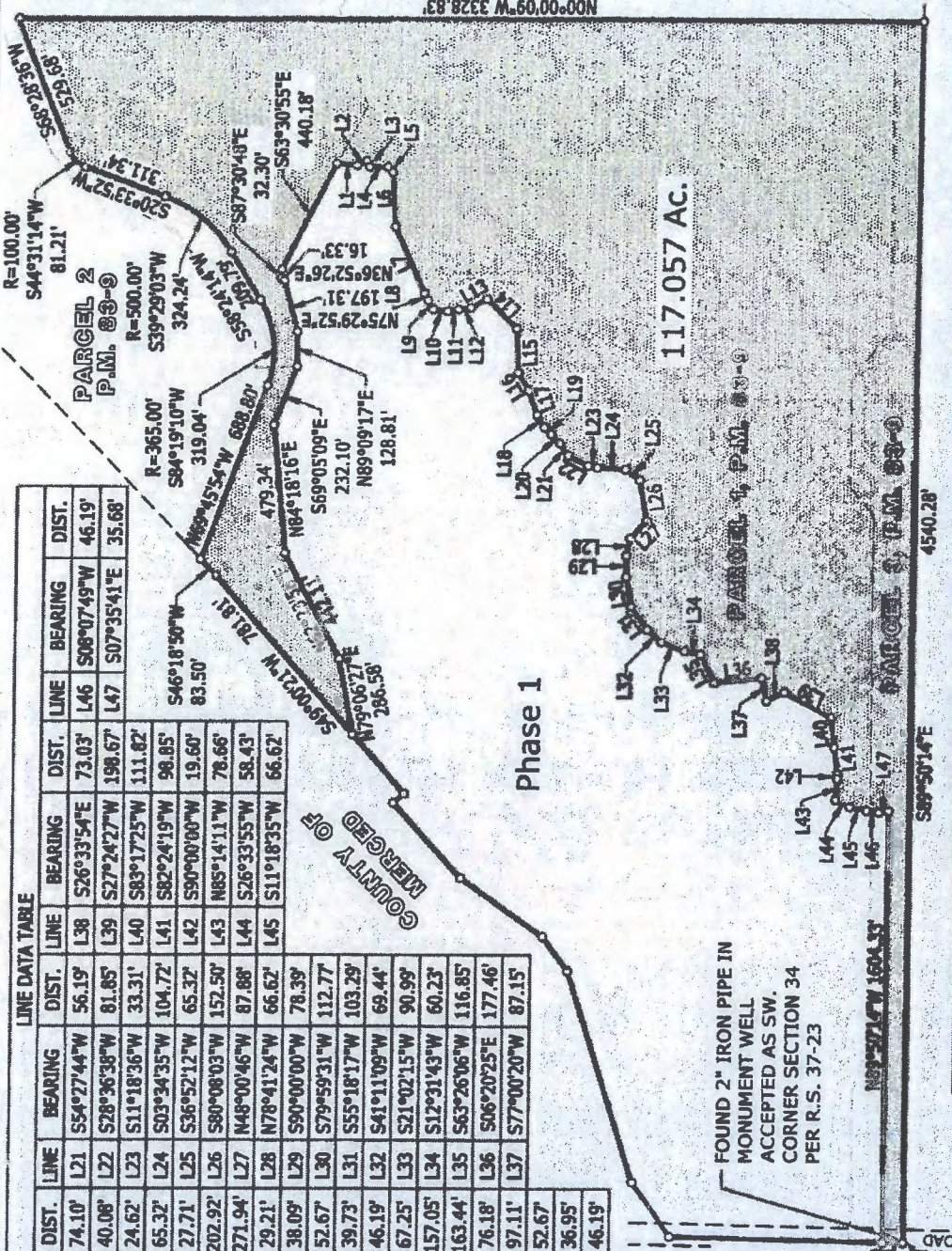
This description has been prepared by me or under my direct supervision in connection with the University of California, Merced Campus "2020 Project".


Kevin A. Heeney, PLS 5914



12/23/2015
Date

LINE DATA TABLE											
LINE	BEARING	DIST.	LINE	BEARING	DIST.	LINE	BEARING	DIST.	LINE	BEARING	DIST.
L1	S05°11'40"W	74.10'	L21	S54°27'44"W	56.19'	L38	S26°33'54"E	73.03'	L46	S08°07'49"W	46.19'
L2	S23°21'25"E	40.08'	L22	S28°36'38"W	81.85'	L39	S27°24'27"W	198.67'	L47	S07°35'41"E	35.68'
L3	S63°26'06"W	24.62'	L23	S11°18'36"W	33.31'	L40	S83°17'25"W	111.82'			
L4	S00°00'00"W	65.32'	L24	S03°34'35"W	104.72'	L41	S82°24'19"W	98.85'			
L5	S45°00'01"W	27.71'	L25	S36°52'12"W	65.32'	L42	S90°00'00"W	19.60'			
L6	S86°18'31"W	202.92'	L26	S80°08'03"W	152.50'	L43	N85°14'11"W	78.66'			
L7	S65°53'52"W	271.94'	L27	N48°00'46"W	87.88'	L44	S26°33'55"W	58.43'			
L8	S63°26'04"W	29.21'	L28	N78°41'24"W	66.62'	L45	S11°18'35"W	66.62'			
L9	S59°02'10"W	38.09'	L29	S90°00'00"W	78.39'						
L10	S07°07'30"W	52.67'	L30	S79°59'31"W	112.77'						
L11	S09°27'45"E	39.73'	L31	S55°18'17"W	103.29'						
L12	S08°07'48"E	46.19'	L32	S41°11'09"W	69.44'						
L13	S29°03'17"E	67.25'	L33	S21°02'15"W	90.99'						
L14	S45°00'00"W	157.05'	L34	S12°31'43"W	60.23'						
L15	S87°42'34"W	763.44'	L35	S63°26'06"W	116.85'						
L16	S59°02'11"W	76.18'	L36	S06°20'25"E	177.46'						
L17	S70°20'46"W	97.11'	L37	S77°00'20"W	87.15'						
L18	S60°15'18"W	52.67'									
L19	S45°00'00"W	36.95'									
L20	S45°00'00"W	46.19'									



Plat to Accompany Legal Description
 2020 PROJECT CAMPUS BOUNDARY
 UNIVERSITY OF CALIFORNIA, MERCED
 OWNER:
 Regents of the University of California
 cta Engineering & Surveying

12/23/2015
 SCALE: 1"=600'
 DRAWN BY: KAH
 JOB NO. 13-026-001
 SHEET 1 OF 1
 BEING A PORTION OF PARCELS 1, 2 & 3
 OF PARCEL MAP BK. 83, PG. 9
 LYING WITHIN
 SECTION 34, T. 6 S., R. 14 E., M.D.M.
 COUNTY OF MERCED STATE OF CALIFORNIA

ATTACHMENT 5

BARBARA J LEVEY

Merced County Clerk – Recorder

CM City of Merced

Doc#: **2016019476**Titles: 1 Pages: 21
Fees NO FEE

* \$ R 0 0 0 0 0 7 6 0 9 1 \$ *

RECORDING REQUESTED BY:City of Merced, A California charter
municipal corporation**WHEN RECORDED MAIL TO:**City of Merced
678 West 18th Street
Merced, California 95340
Attn.: City ClerkExempt Recording Per Gov't Code
Section 6103

(Above for Recorder's Use Only)

AGREEMENT AFFECTING REAL PROPERTY
AND COVENANT TO ANNEX

This Agreement Affecting Real Property and Covenant to Annex (hereafter "Annexation Agreement") is entered into as of this 14TH day of JUNE 2016, by and between the City of Merced, a California Charter municipal corporation ("City") and The Regents of the University of California, on behalf of the Merced campus ("UCM").

WHEREAS, on March 17, 2003, the City and the UCM entered into that certain Contract for Water and Sewer Services Between The City of Merced and The Regents of the University (the "2003 Agreement") under which the City agreed to provide certain water and sewer services to Phase One of the UCM campus; and,

WHEREAS, as part of the 2003 Agreement, the City and the UCM were required to enter into that certain "Agreement to Annex" (Attachment 5 to the 2003 Agreement) relating to the potential future annexation of the Phase One of the UC Merced Campus to the City of Merced; and,

WHEREAS, on March 17, 2003, the City and the UCM entered into that Agreement to Annex; and,

WHEREAS, the City of Merced subsequently started providing water and sewer services to Phase One of the UCM Campus; and,

WHEREAS, UCM now seeks to develop its Revised 2020 Project in accordance with its Long Range Development Plan and seeks expanded water and sewer services from the City outside of the Phase One of the UCM campus; and,

WHEREAS, the City is willing to continue to provide water and sewer services to Phase One of the UCM campus and to provide expanded water and sewer services for UCM's Revised 2020 Project subject to the provisions of the separately executed Contract for Water, Sewer and Other Services Between The City of Merced and The Regents of the University of California (the "2015 Agreement") and pursuant to the provisions of this Annexation Agreement as long as the UCM, on behalf of itself and its successors-in-interest and assigns, consents to the annexation of the Phase One and the Revised 2020 Project, UCM Campus at such time that the City of Merced submits an application to the Merced County Local Agency Formation Commission ("LAFCO") for the annexation of Phase One, UCM Campus and, the Revised 2020 Project, UCM Campus; and,

WHEREAS, UCM's decision to enter into this Agreement is voluntary and UCM reserves its right to contest the authority of LAFCO to exercise any regulatory authority over property owned by UCM; and,

WHEREAS, consistent with the rights and obligations set forth in this Agreement and the 2015 Agreement, UCM acknowledges that the parties anticipate that Phase One and the Revised 2020 Project areas are planned to be annexed into the City.

NOW, THEREFORE, the parties hereto, in consideration of the mutual covenants hereinafter recited, which are incorporated by reference, hereby agree as follows:

Section 1. Effectiveness of Annexation Agreement. This Annexation Agreement is effective as to Phase One of the UCM Campus if the City of Merced is providing water or sewer services to any portion of Phase One. (Phase One is more fully described in Exhibit A and shown on the map in Exhibit B, both of which are attached hereto and incorporated herein by this reference.) This Agreement is effective as to the Revised 2020 Project, UCM Campus if the City of Merced is providing water or sewer services to any portion of the Revised 2020 Project, UCM Campus. (The Revised 2020 Project, UCM Campus is more fully described in Exhibit C and shown on the map in Exhibit D, both of which are attached hereto and incorporated herein by this reference.)

Section 2. Future Annexation to City. As a condition of receiving water and sewer services from the City, and subject to the rights and obligations set forth in this Agreement and in the 2015 Agreement, UCM hereby agrees to the annexation to the City of Phase One and the Revised 2020 Project, UCM Campus. Execution of this Annexation Agreement constitutes an agreement to annex on the terms described herein. Subject to the rights and obligations set forth in this Agreement and in the 2015 Agreement, UCM hereby covenants and binds itself and its successors in interest to annex Phase One and the Revised 2020 Project, UCM Campus to City when the City Council determines that such annexation shall be made. UCM hereby acknowledges that this Annexation Agreement is a request and consent by it to annex the territory constituting Phase One and the Revised 2020 Project, UCM Campus to the City of Merced. Subject to its rights herein, UCM for itself and its successors in interest further agrees not to protest the annexation of said property, either by itself or in combination with other unrelated parcels of land, and hereby now specifically waives the provisions of all sections of law now existing or hereafter to be enacted permitting protests to be filed in annexation proceedings.

Section 3. Notice of Proposed Annexation, Annexation Process, and Termination of this Agreement. Before City submits an application to LAFCO for the annexation of the Phase One and/or Revised 2020 Project, UCM Campus, the City shall deliver to UCM written notice of its intention to commence the annexation proceedings (the "Notice"). The Notice shall contain the following:

- A. A draft of the annexation application that the City intends to file with LAFCO; and,
- B. The proposed plan for services that the City intends to file with LAFCO in support of the application; and,
- C. Any other significant documents that the City intends to file with LAFCO in support of the Application.

Within fifteen (15) days of UCM's receipt of the Notice, City and UCM shall meet and confer regarding the proposed content of the application. If City and UCM cannot meet within said fifteen (15) day period because of UCM's unavailability, the City shall be entitled to file the application with LAFCO without first meeting and conferring. Following the commencement of the annexation proceedings, City and UCM shall reasonably coordinate and cooperate with respect to the annexation proceedings.

Following commencement of the annexation proceedings, UCM or the City may request that the annexation proceeding be terminated by written notice to the other party if either party at any time reasonably concludes, based on substantial evidence, that the approval of the annexation by LAFCO contains any proposed condition, term or other requirement which:

- A. Is contrary to law; or,
- B. Will impose significant and unreasonable costs or other financial burdens on either party (i.e. annual costs greater than two million dollars (\$2,000,000)); or,
- C. Will materially infringe upon either party's lawful powers of governance or organization.

If City and UCM both agree that the proposed LAFCO condition, term or requirement is contrary to law or will impose significant and unreasonable costs as set forth above or will materially infringe upon either party's lawful powers of governance or organization, the parties will reasonably cooperate and request that LAFCO not impose the term, condition or requirement. If LAFCO agrees to not impose the condition(s), term(s) or requirement(s) that City and UCM jointly requested not be imposed, then each party agrees that it will withdraw its request that the annexation proceeding be terminated.

If either party requests that the annexation process be terminated and either party determines, as set forth herein, that any one of the above events specified above as a basis for requesting termination of the annexation proceedings has occurred, both parties shall take all necessary steps to cause the annexation proceedings to be terminated and the resulting failure to annex shall not be deemed a breach of Section 2 of this Annexation Agreement and/or a material breach of the 2015 Agreement. If either party requests that the annexation process be terminated, the parties will within three (3) business days schedule and participate in an informal dispute resolution meeting to discuss actions that each party will take to resolve the concerns expressed by the party requesting that the annexation process be terminated. This meeting shall only be required if it can occur in time for the parties to be able to take all necessary actions to terminate the annexation proceedings before the matter is considered or acted upon by LAFCO.

If, following this informal dispute resolution process, either party still requests that the annexation process be terminated, then either party may request a non-binding mediation between the parties to discuss the proposed condition, term or obligation and actions that each party will take to resolve the concerns expressed by the party requesting termination. The mediator will be selected by mutual consent. If the parties cannot agree on one mediator, the parties shall agree on a list of three qualified mediators and each party may strike one mediator from the list and remaining mediator shall serve as mediator. The parties agree that any proposed annexation process shall be suspended during the time between a request for mediation and the date seven (7) days following the completion of the mediation. In the event that LAFCO does not consent to a continuance of the process to allow time for the mediation, the obligation to mediate shall cease to exist as to either party. The mediation must occur within sixty (60) days of the request for mediation. The parties shall bear their own costs for the mediation and shall each pay fifty (50) percent of the cost of the mediator.

Following completion of the informal dispute resolution process and mediation processes provided for herein or if the informal dispute resolution or the mediation processes did not occur pursuant to the terms hereinabove, the party that requested that the annexation process be terminated shall determine, in its sole discretion, if it continues to request that annexation process be terminated.

In addition, UCM may request that the annexation proceeding be terminated by written notice to the City if prior to the City's submittal of an application to LAFCO for the annexation of Phase One and/or Revised 2020 Project, UCM has paid in full all financial obligations under the 2015 Agreement and no portion of Phase One or the Revised 2020 Project receives water or sewer services from the City as of the date of the City's application to LAFCO for the annexation of Phase One and/or Revised 2020 Project.

Notwithstanding the above, in the event that:

A. The City has not yet completed the annexation of Phase One or the Revised 2020 Project, UCM Campus; and,

B. UCM has notified the City of termination under the provisions of Section 14 of the Water and Sewer Contract; and,

C. UCM has made full satisfactory payment of all then outstanding Project Costs as required in Section 14 of the 2015 Agreement,

then the provisions of this Annexation Agreement, shall be cancelled and annexation shall not be required.

Section 4. UCM Rights to Provide its Own Services Post Annexation. UCM may exercise the rights set forth in Section 14(c)(1) of the 2015 Agreement under the terms outlined in the 2015 Agreement and in the event that:

A. The City has already exercised its rights under this Annexation Agreement and annexed Phase One or the Revised 2020 Project, UCM Campus; and,

B. UCM has notified the City of termination under the provisions of Section 14 of the 2015 Agreement; and,

C. UCM has made full satisfactory payment of all then outstanding Project Costs as required in Section 14 of the 2015 Agreement; and

D. Subject to approvals from regulatory agencies, including but not limited to the Regional Water Quality Control Board,

then City agrees that UCM may provide its own services solely to the Campus, although within the incorporated limits of the City of Merced. Notwithstanding this provision, in

order to protect the public health and safety of the City and its residents, the City reserves all of its rights to oppose UCM providing its own water and/or sewer services through the regulatory process, the CEQA process and/or litigation.

Section 5. Authority to Execute. Each party hereto expressly warrants and represents he/she/they has/have the authority to execute this Annexation Agreement on behalf of his/her/their governmental entity and warrants and represents that he/she/they has/have the authority to bind his/her/their entity to the performance of the obligations hereunder.

Section 6. Recordation of this Agreement. This Agreement shall be recorded with the Merced County Recorder's Office within thirty (30) days of execution thereof.

IN WITNESS WHEREOF, this Annexation Agreement has been
executed by the parties on the day, month, and year first written above.

THE REGENTS OF THE UNIVERSITY
OF CALIFORNIA

By: *Dorothy Leland*

Chancellor

DOROTHY LELAND

ATTEST:

By: _____

APPROVED AS TO FORM:

CITY OF MERCED

By: *Steven Carrigan*

Mayor

City Manager

STEVEN CARRIGAN

ATTEST:

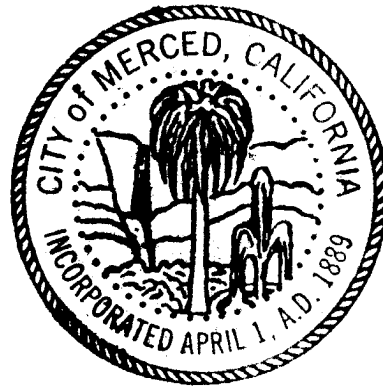
By: *[Signature]*

City Clerk

APPROVED AS TO FORM:

Kenneth Rozell 6/14/16

City Attorney



2527397.4

300133

FUNDS/ACCOUNTS VERIFIED

Rodney R. Hunt 6-14-16

FINANCE OFFICE

DATE

No funds to encumber. uuz

6/14/16 *HR*

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT
CIVIL CODE § 1189**


A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
) ss
COUNTY OF MERCED)

On June 14, 2016 before me, DIANE CATON, the undersigned Notary Public, personally appeared DOROTHY LELAND, CHANCELLOR, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that ~~he~~/she/~~they~~ executed the same in ~~his~~/her/~~their~~ authorized capacity(~~ies~~), and that by ~~his~~/her/~~their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal



DIANE CATON
My commission expires: August 26, 2019



For: Agreement Affecting Real Property and Covenant to Annex

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of MercedOn June 14, 2016

Date

before me, Dawn Mendonca, Notary Public

Here Insert Name and Title of the Officer

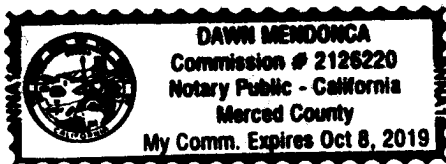
personally appeared Steven S. Carrigan

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person~~s~~ whose name~~s~~ is/are subscribed to the within instrument and acknowledged to me that he~~/she/they~~ executed the same in his~~/her/their~~ authorized capacity~~(ies)~~, and that by his~~/her/their~~ signature~~s~~ on the instrument the person~~s~~, or the entity upon behalf of which the person~~s~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Dawn Mendonca

Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____☐ Partner — ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____☐ Partner — ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer Is Representing: _____

Exhibit A

Legal Description of Phase One of the UCM Campus

(UC 092915)

EXHIBIT 'A'

University of California, Merced Boundary of the Phase 1 Project Area

All that real property situate in the County of Merced, State of California, lying and being within Section 34, Township 6 South, Range 14 East, M.D.M., being a portion of the lands granted to the Regents of the University of California, a California public corporation in that certain grant deed filed in the office of the County Recorder of Merced County as Document No. 2002-012594 and as shown on that certain Record of Survey for the "University of California Merced Campus", filed in the office of the County Recorder of Merced County in Book 37 of Surveys, Pages 23-26 and further being a portion of Parcels 1, 2, and 3, as shown on that certain Parcel Map for "Merced Community Golf Association, being a Division of Parcel 2 according to Parcel Map for Merced County Board of Education as Trustee of the Testamentary Trust of Virginia Smith Book 59 Parcel Maps, Page 1 M.C.R.", filed in the office of the County Recorder of Merced County in Book 83 of Parcel Maps, Pages 9-12 and being more particularly described as follows:

COMMENCING at a 2" iron pipe set in a monument well and accepted as the Southwest corner of said Section 34 as shown on said Record of Survey; thence along the West line of said lands of the Regents of the University of California, North 01°07'48" East, 78.67 feet to the true **POINT OF BEGINNING**; thence continuing along the West and Northwesterly line of said lands of the Regents of the University of California, being also the West and Northwesterly line of said Parcel 2 as shown in Book 59 of Parcel Maps, Page 1 the following eight (8) courses:

1. North 01°07'48" East, 792.89 feet; thence
2. North 55°13'43" East, 243.36 feet; thence
3. North 72°47'31" East, 822.80 feet; thence
4. North 54°05'52" East, 159.13 feet; thence
5. North 35°48'37" East, 372.62 feet; thence
6. North 48°18'50" East, 373.01 feet; thence
7. South 41°40'18" East, 52.28 feet; thence
8. North 49°00'21" East, 289.69 feet; thence

leaving said Northwesterly line and running in a generally Easterly direction the following nine (9) courses:

1. North 79°06'27" East, 286.58 feet; thence
2. North 62°23'58" East, 442.11 feet; thence
3. North 84°18'16" East, 479.34 feet; thence
4. South 69°05'09" East, 232.10 feet; thence
5. North 89°09'17" East, 128.81 feet; thence
6. North 75°29'52" East, 197.31 feet; thence
7. North 36°52'26" East, 16.33 feet; thence
8. South 87°30'48" East, 32.30 feet; thence
9. South 63°30'55" East, 440.18 feet;

thence running in a generally Southerly and Westerly direction along the following forty seven (47) courses:

1. South 05°11'40" West, 74.10 feet; thence

EXHIBIT 'A'

2. South 23°21'25" East, 40.08 feet; thence
3. South 63°26'06" West, 24.62 feet; thence
4. South 00°00'00" West, 65.32 feet; thence
5. South 45°00'01" West, 27.71 feet; thence
6. South 86°18'31" West, 202.92 feet; thence
7. South 65°53'52" West, 271.94 feet; thence
8. South 63°26'04" West, 29.21 feet; thence
9. South 59°02'10" West, 38.09 feet; thence
10. South 07°07'30" West, 52.67 feet; thence
11. South 09°27'45" East, 39.73 feet; thence
12. South 08°07'48" East, 46.19 feet; thence
13. South 29°03'17" East, 67.25 feet; thence
14. South 45°00'00" West, 157.05 feet; thence
15. South 87°42'34" West, 163.44 feet; thence
16. South 59°02'11" West, 76.18 feet; thence
17. South 70°20'46" West, 97.11 feet; thence
18. South 60°15'18" West, 52.67 feet; thence
19. South 45°00'00" West, 36.95 feet; thence continuing
20. South 45°00'00" West, 46.19 feet; thence
21. South 54°27'44" West, 56.19 feet; thence
22. South 28°36'38" West, 81.85 feet; thence
23. South 11°18'36" West, 33.31 feet; thence
24. South 03°34'35" West, 104.72 feet; thence
25. South 36°52'12" West, 65.32 feet; thence
26. South 80°08'03" West, 152.50 feet; thence
27. North 48°00'46" West, 87.88 feet; thence
28. North 78°41'24" West, 66.62 feet; thence
29. South 90°00'00" West, 78.39 feet; thence
30. South 79°59'31" West, 112.77 feet; thence
31. South 55°18'17" West, 103.29 feet; thence
32. South 41°11'09" West, 69.44 feet; thence
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36. South 06°20'25" East, 177.46 feet; thence
37. South 77°00'20" West, 87.15 feet; thence
38. South 26°33'54" East, 73.03 feet; thence
39. South 27°24'27" West, 198.67 feet; thence
40. South 83°17'25" West, 111.82 feet; thence
41. South 82°24'19" West, 98.85 feet; thence
42. South 90°00'00" West, 19.60 feet; thence
43. North 85°14'11" West, 78.66 feet; thence
44. South 26°33'55" West, 58.43 feet; thence
45. South 11°18'35" West, 66.62 feet; thence
46. South 08°07'49" West, 46.19 feet; thence
47. South 07°35'41" East, 35.68 feet;

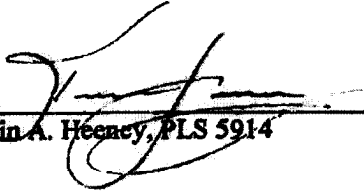
EXHIBIT 'A'


thence parallel with the South line of said Section 34, North 89°50'14" West, 1604.33 feet to the POINT OF BEGINNING, containing 102.001 acres, more or less.

The Basis of Bearings for this description is the California Coordinate System, NAD 83, Zone 3 as defined on that certain Record of Survey filed in the office of the County Recorder of Merced County in Book 37 of Surveys, Pages 23-26. Distances given herein are grid distances. Multiply the grid distance by 1.000045 to obtain ground distances.

End of Description

This description has been prepared by me or under my direct supervision in connection with the University of California, Merced Campus "Phase 1 Project".


Kevin A. Heeney, PLS 5914



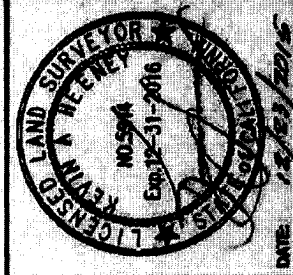
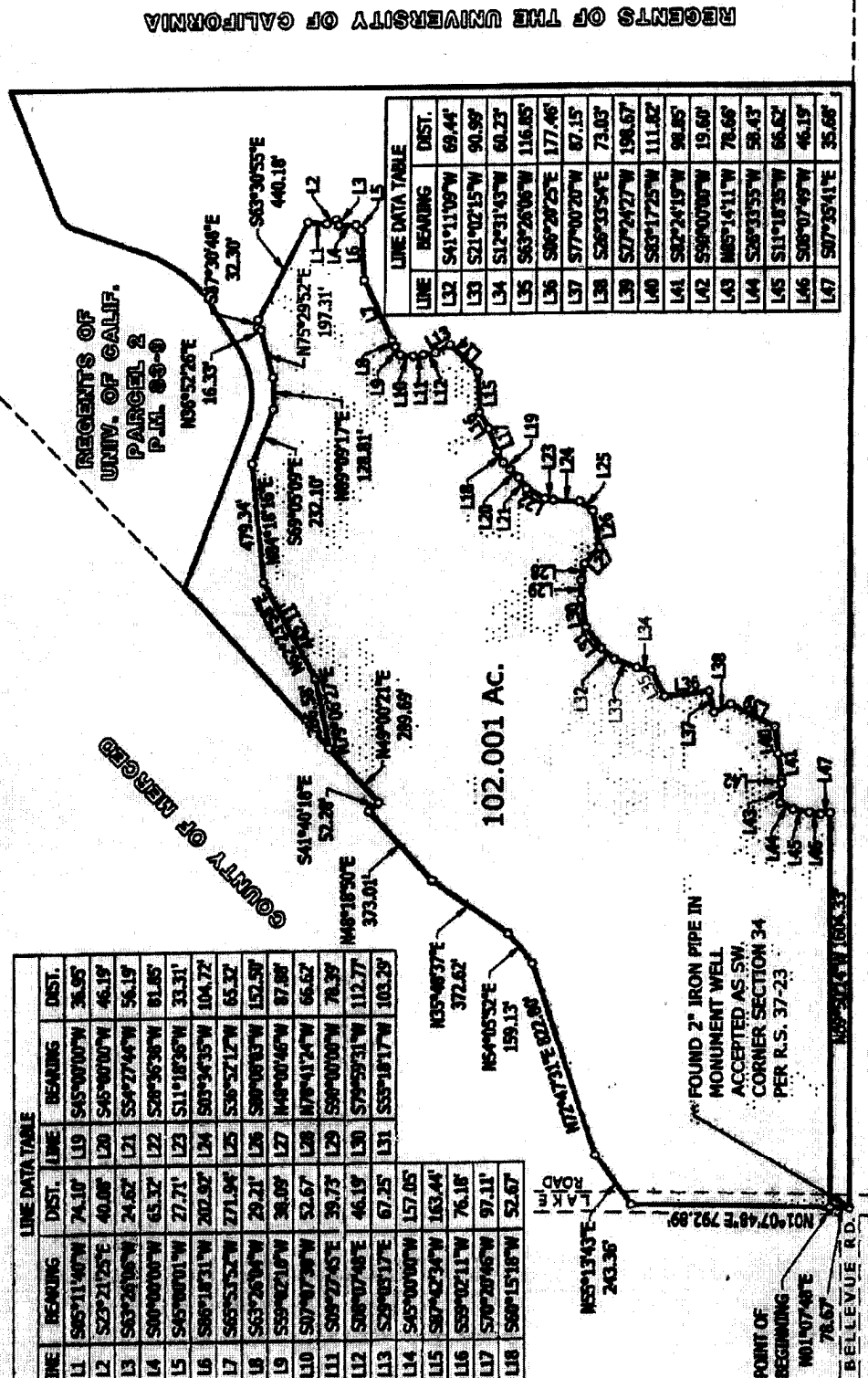
12/23/2016
Date

Exhibit B

Map of Phase One of the UCM Campus

LINE DATA TABLE					
LINE	BEARING	DIST.	LINE	BEARING	DIST.
L1	S85°11'47"W	74.10'	L19	S45°00'00"W	36.95'
L2	S23°21'25"E	40.88'	L20	S45°00'00"W	46.19'
L3	S63°20'06"W	24.62'	L21	S54°27'44"W	56.19'
L4	S00°00'00"W	63.32'	L22	S28°36'38"W	81.85'
L5	S45°00'01"W	27.71'	L23	S11°18'36"W	33.31'
L6	S08°18'31"W	202.92'	L24	S03°34'35"W	104.72'
L7	S65°33'52"W	271.94'	L25	S36°22'12"W	65.32'
L8	S63°26'04"W	29.21'	L26	S00°00'03"W	152.50'
L9	S59°42'18"W	38.09'	L27	N40°00'46"W	87.88'
L10	S07°07'38"W	52.67'	L28	N78°41'24"W	66.62'
L11	S08°27'45"E	39.73'	L29	S00°00'00"W	78.39'
L12	S08°07'48"E	46.19'	L30	S79°59'31"W	112.77'
L13	S29°43'17"E	67.25'	L31	S33°18'17"W	103.29'
L14	S45°00'00"W	157.05'			
L15	S07°42'34"W	163.44'			
L16	S39°02'11"W	76.18'			
L17	S08°20'46"W	97.11'			
L18	S08°15'18"W	52.67'			
			</		

LINE DATA TABLE			
LINE	BEARING	DIST.	
L32	S41°11'09"W	69.44'	
L33	S21°02'15"W	90.99'	
L34	S12°31'43"W	60.23'	
L35	S63°26'06"W	116.85'	
L36	S06°28'25"E	177.46'	
L37	S77°00'20"W	87.15'	
L38	S08°35'54"E	73.03'	
L39	S27°24'27"W	198.67'	
L40	S03°17'25"W	111.82'	
L41	S02°24'19"W	98.85'	
L42	S59°00'08"W	19.60'	
L43	N05°14'11"W	78.68'	
L44	S28°33'53"W	58.43'	
L45	S11°18'35"W	66.82'	
L46	S08°07'49"W	46.19'	
L47	S07°39'41"E	35.68'	



Plat to Accompany Legal Description	12/23/2015	DRAWN BY: KAH	SHEET 1 of 1
PHASE 1 CAMPUS BOUNDARY UNIVERSITY OF CALIFORNIA, MERCED	SCALE 1"=600'	JOB NO. 13-026-001	
OWNER: Regents of the University of California			
cta Engineering & Surveying			
DATE: 12/23/2015			

BEING A PORTION OF PARCELS 1, 2 & 3
OF PARCEL MAP BK. 83, PG. 9
LYING WITHIN
SECTION 34, T. 6 S., R. 14 E., M.D.M.
COUNTY OF MERCED STATE OF CALIFORNIA

Exhibit C

Legal Description of Revised 2020 Project, UCM Campus

[A legal description consistent with the exterior boundaries of the Revised 2020 Project, UCM attached as Exhibit D will be prepared and attached prior to the effective date of the "Amended and Restated Contract for Water, Sewer and Other Services Between The City of Merced and The Regents of the University of California."]

EXHIBIT 'A'

University of California, Merced Boundary of the 2020 Project Area

All that real property situate in the County of Merced, State of California, lying and being within Section 34, Township 6 South, Range 14 East, M.D.M., being a portion of the lands granted to the Regents of the University of California, a California public corporation in that certain grant deed filed in the office of the County Recorder of Merced County as Document No. 2002-012594 and as shown on that certain Record of Survey for the "University of California Merced Campus", filed in the office of the County Recorder of Merced County in Book 37 of Surveys, Pages 23-26 and further being a portion of Parcels 1, 2, and 3, as shown on that certain Parcel Map for "Merced Community Golf Association, being a Division of Parcel 2 according to Parcel Map for Merced County Board of Education as Trustee of the Testamentary Trust of Virginia Smith Book 59 Parcel Maps, Page 1 M.C.R.", filed in the office of the County Recorder of Merced County in Book 83 of Parcel Maps, Pages 9-12 and being more particularly described as follows:

BEGINNING at a 2" iron pipe set in a monument well and accepted as the Southwest corner of said Section 34 as shown on said Record of Survey; thence along the South line of said lands of the Regents of the University of California, being also the South line of said Section 34, South 89°50'14" East, 4540.28 feet; thence leaving said South line, North 00°00'09" West, 3328.83 feet to the approximate centerline of an existing canal; thence along the approximate centerline of said canal the following seven (7) courses:

1. South 68°28'36" West, 529.68 feet; thence
2. along the arc of a curve to the left, having a radius of 100.00 feet, the chord of which bears South 44°31'14" West, 81.21 feet; thence
3. South 20°33'52" West, 311.34 feet; thence
4. along the arc of a curve to the right, having a radius of 500.00 feet, the chord of which bears South 39°29'03" West, 324.24 feet; thence
5. South 58°24'14" West, 209.79 feet; thence
6. along the arc of a curve to the right, having a radius of 365.00 feet, the chord of which bears South 84°19'10" West, 319.04 feet; thence
7. North 69°45'54" West, 688.80 feet to a point on the Northwesterly line of said Regents of the University of California land; thence

along said Northwesterly line the following two (2) courses:

1. South 46°18'50" West, 83.50 feet; thence
2. South 49°00'21" West, 781.81 feet; thence

leaving said Northwesterly line and running in a generally Easterly direction the following nine (9) courses:

1. North 79°06'27" East, 286.58 feet; thence
2. North 62°23'58" East, 442.11 feet; thence
3. North 84°18'16" East, 479.34 feet; thence
4. South 69°05'09" East, 232.10 feet; thence
5. North 89°09'17" East, 128.81 feet; thence
6. North 75°29'52" East, 197.31 feet; thence
7. North 36°52'26" East, 16.33 feet; thence

EXHIBIT 'A'

8. South 87°30'48" East, 32.30 feet; thence
9. South 63°30'55" East, 440.18 feet;
thence running in a generally Southerly and Westerly direction along the following forty seven (47) courses:

1. South 05°11'40" West, 74.10 feet; thence
2. South 23°21'25" East, 40.08 feet; thence
3. South 63°26'06" West, 24.62 feet; thence
4. South 00°00'00" West, 65.32 feet; thence
5. South 45°00'01" West, 27.71 feet; thence
6. South 86°18'31" West, 202.92 feet; thence
7. South 65°53'52" West, 271.94 feet; thence
8. South 63°26'04" West, 29.21 feet; thence
9. South 59°02'10" West, 38.09 feet; thence
10. South 07°07'30" West, 52.67 feet; thence
11. South 09°27'45" East, 39.73 feet; thence
12. South 08°07'48" East, 46.19 feet; thence
13. South 29°03'17" East, 67.25 feet; thence
14. South 45°00'00" West, 157.05 feet; thence
15. South 87°42'34" West, 163.44 feet; thence
16. South 59°02'11" West, 76.18 feet; thence
17. South 70°20'46" West, 97.11 feet; thence
18. South 60°15'18" West, 52.67 feet; thence
19. South 45°00'00" West, 36.95 feet; thence continuing
20. South 45°00'00" West, 46.19 feet; thence
21. South 54°27'44" West, 56.19 feet; thence
22. South 28°36'38" West, 81.85 feet; thence
23. South 11°18'36" West, 33.31 feet; thence
24. South 03°34'35" West, 104.72 feet; thence
25. South 36°52'12" West, 65.32 feet; thence
26. South 80°08'03" West, 152.50 feet; thence
27. North 48°00'46" West, 87.88 feet; thence
28. North 78°41'24" West, 66.62 feet; thence
29. South 90°00'00" West, 78.39 feet; thence
30. South 79°59'31" West, 112.77 feet; thence
31. South 55°18'17" West, 103.29 feet; thence
32. South 41°11'09" West, 69.44 feet; thence
33. South 21°02'15" West, 90.99 feet; thence
34. South 12°31'43" West, 60.23 feet; thence
35. South 63°26'06" West, 116.85 feet; thence
36. South 06°20'25" East, 177.46 feet; thence
37. South 77°00'20" West, 87.15 feet; thence
38. South 26°33'54" East, 73.03 feet; thence
39. South 27°24'27" West, 198.67 feet; thence
40. South 83°17'25" West, 111.82 feet; thence
41. South 82°24'19" West, 98.85 feet; thence
42. South 90°00'00" West, 19.60 feet; thence

EXHIBIT 'A'

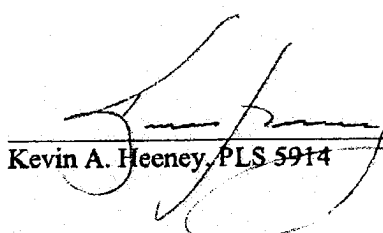
- 43. North 85°14'11" West, 78.66 feet; thence
- 44. South 26°33'55" West, 58.43 feet; thence
- 45. South 11°18'35" West, 66.62 feet; thence
- 46. South 08°07'49" West, 46.19 feet; thence
- 47. South 07°35'41" East, 35.68 feet;

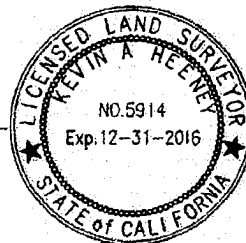
thence parallel with the South line of said Section 34, North 89°50'14" West, 1604.33 feet to the West line of said Section 34 and the lands of the Regents of the University of California; thence along said West line, South 01°07'48" West, 78.67 feet to the **POINT OF BEGINNING**, containing 117.057 acres, more or less.

The Basis of Bearings for this description is the California Coordinate System, NAD 83, Zone 3 as defined on that certain Record of Survey filed in the office of the County Recorder of Merced County in Book 37 of Surveys, Pages 23-26. Distances given herein are grid distances. Multiply the grid distance by 1.000045 to obtain ground distances.

End of Description

This description has been prepared by me or under my direct supervision in connection with the University of California, Merced Campus "2020 Project".


Kevin A. Heeney, PLS 5914

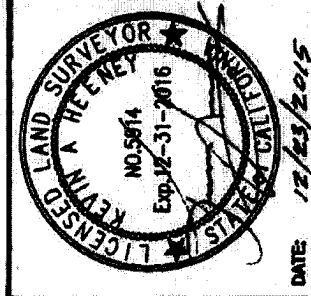
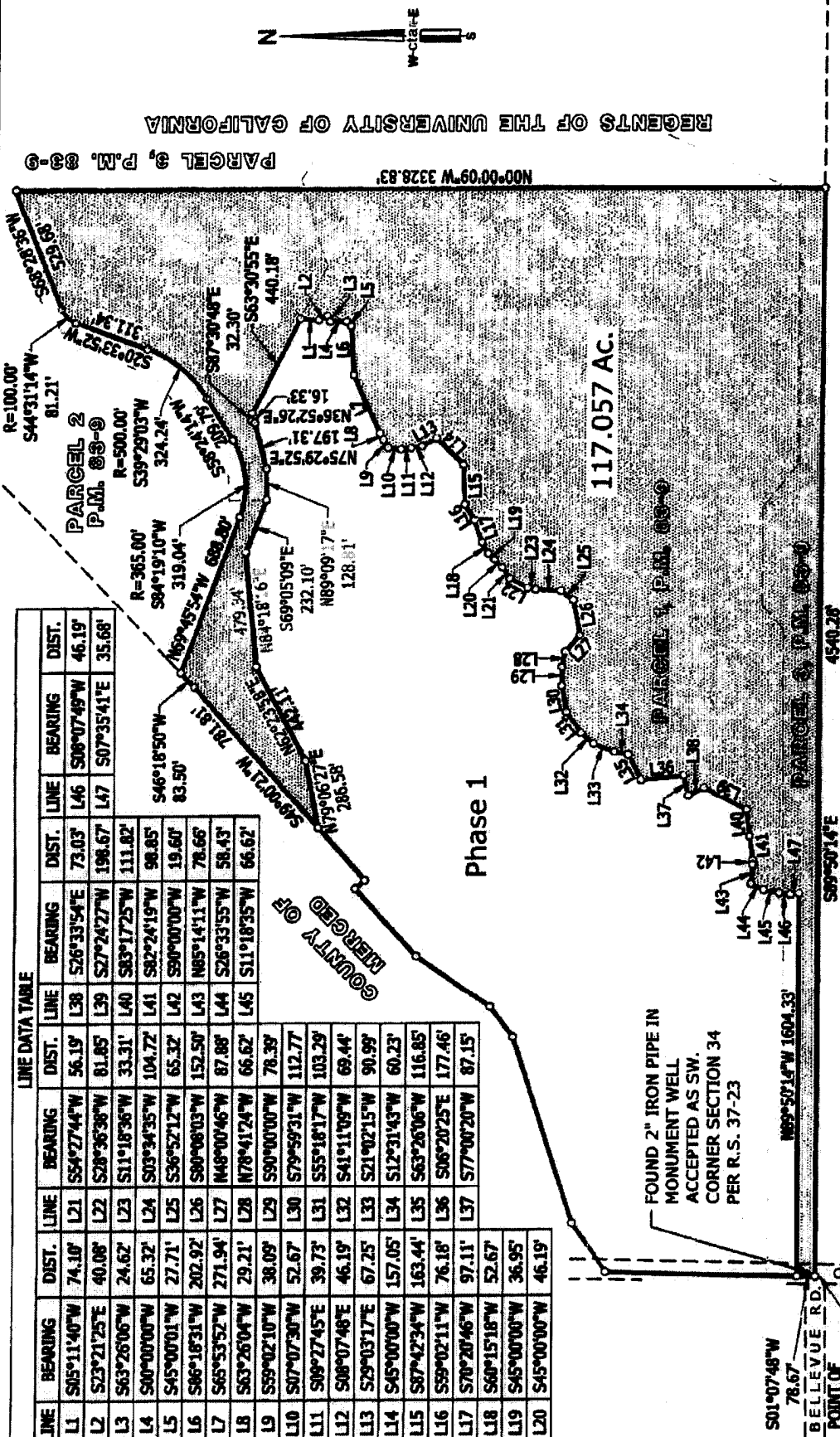


12/23/2015
Date

Exhibit D

Map of Revised 2020 Project, UCM Campus –
Illustrative of Boundaries of Revised 2020 Project, UCM Campus Only

LINE DATA TABLE									
LINE	BEARING	DIST.	LINE	BEARING	DIST.	LINE	BEARING	DIST.	DIST.
L1	S05°11'40"W	74.10'	L21	S54°27'44"W	56.19'	L38	S26°33'54"E	73.03'	46.19'
L2	S23°21'25"E	40.08'	L22	S28°36'38"W	81.85'	L39	S27°24'27"W	198.67'	35.68'
L3	S63°26'06"W	24.62'	L23	S11°18'36"W	33.31'	L40	S83°17'25"W	111.82'	
L4	S45°00'00"W	65.32'	L24	S03°34'35"W	104.72'	L41	S82°24'19"W	98.85'	
L5	S45°00'01"W	27.71'	L25	S36°52'12"W	65.32'	L42	S90°00'00"W	19.60'	
L6	S86°18'31"W	202.92'	L26	S80°08'03"W	152.50'	L43	N85°14'11"W	78.66'	
L7	S65°53'52"W	271.94'	L27	N48°00'46"W	87.88'	L44	S26°33'55"W	58.43'	
L8	S63°26'04"W	29.21'	L28	N78°41'24"W	66.62'	L45	S11°18'35"W	66.62'	
L9	S59°02'10"W	30.09'	L29	S90°00'00"W	78.39'				
L10	S07°07'30"W	52.67'	L30	S79°59'31"W	112.77'				
L11	S08°27'45"E	39.73'	L31	S55°18'17"W	103.29'				
L12	S08°07'46"E	46.19'	L32	S41°11'09"W	69.44'				
L13	S29°03'17"E	67.25'	L33	S21°02'15"W	90.99'				
L14	S45°00'00"W	157.05'	L34	S12°31'43"W	60.23'				
L15	S07°42'34"W	163.44'	L35	S63°26'06"W	116.85'				
L16	S59°02'11"W	76.18'	L36	S06°20'25"E	177.46'				
L17	S70°20'46"W	97.11'	L37	S77°00'20"W	87.15'				
L18	S68°15'18"W	52.67'							
L19	S45°00'00"W	36.95'							
L20	S45°00'00"W	46.19'							



Plat to Accompany Legal Description
 2020 PROJECT CAMPUS BOUNDARY
 UNIVERSITY OF CALIFORNIA, MERCED
 OWNER:
 Regents of the University of California
 cta Engineering & Surveying
 DATE 12/23/2015

12/23/2015 DRAWN BY: KAH SHEET 1 OF 1
 SCALE: 1"=600' JOB NO. 13-026-001
 BEING A PORTION OF PARCELS 1, 2 & 3
 OF PARCEL MAP BK. 83, PG. 9
 LYING WITHIN
 SECTION 34, T. 6 S., R. 14 E., M.D.M.
 COUNTY OF MERCED STATE OF CALIFORNIA

ATTACHMENT 6

Attachment 6

October 17, 2003 FINAL DRAFT

PERMANENT FINANCING
CAPITAL FACILITIES FEE AGREEMENT

Dated as of October 1, 2003

By and Between

CITY OF MERCED, CALIFORNIA

and

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

This Permanent Financing Capital Facilities Fee Agreement, dated as of October 1, 2003 (the "Agreement"), is entered into by and between the City of Merced, California (the "City"), and The Regents of the University of California ("The Regents").

WITNESSETH:

WHEREAS, The Regents are establishing a tenth campus of the University of California in the vicinity of the City ("UCM") the first phase of which (the "Phase One UCM Campus") is described in Exhibit A hereto and is expected to be operational on or before September 30, 2005;

WHEREAS, The Regents have requested that the City provide water and sewer services to the Phase One UCM Campus;

WHEREAS, the City is willing to provide water and sewer services to the Phase One UCM Campus pursuant to the terms of a Contract for Water and Sewer Services dated as of March 17, 2003, by and between the City and The Regents (the "Service Contract"), but in order for the City to provide such services it will have to construct the Facilities described in Exhibit B hereto (the "Facilities");

WHEREAS, the City has received a commitment for construction financing from County Bank in an amount not exceed nine million dollars (\$9,000,000) for Project Costs;

WHEREAS, the City and County Bank have entered into certain loan documents ("County Bank loan documents") which provide for County Bank to loan the City up to nine million dollars (\$9,000,000) for the construction of the Facilities which loan shall be secured by an Interim Financing Capital Facilities Fee Agreement ("Interim Financing CFFA") similar to this Agreement;

WHEREAS, this Agreement shall not be effective absent a release by County Bank of the Interim Financing CFFA, such signed release constituting Exhibit D hereto;

WHEREAS, the City now desires to obtain from the California Infrastructure and Economic Development Bank (the "CIEDB") permanent financing in an aggregate amount of nine million dollars (\$9,000,000) for the Project Costs;

WHEREAS, to such end, the City has concurrently herewith entered into an Enterprise Fund Installment Sale Agreement with the CIEDB (the "Installment Sale Agreement") pursuant to which, among other things, the City has agreed to convey the Facilities to the CIEDB upon the completion thereof in accordance with the terms of the Installment Sale Agreement, to repurchase them from the CIEDB and, in connection therewith, to pay to the CIEDB (in addition to the other amounts provided for in the Installment Sale Agreement) installment payments on the dates and in the amounts specified in Exhibit E to the Installment Sale Agreement plus "additional payments" as specified in Section 2.04(f) of the Installment Sale Agreement (collectively, the "ISA Payments") which the CIEDB may apply, along with certain other revenues, to the payment of debt service on bonds issued or to be issued by it to finance various projects including, but not limited to, the Facilities (the "Bonds");

WHEREAS, the CIEDB's execution and delivery of the Installment Sale Agreement is

conditioned, among other things, upon its receipt of a fully executed copy of this Agreement;

WHEREAS, the Facilities will be used primarily to provide water and sewer services to the Phase One UCM Campus, and may also, in accordance with the terms of the Service Contract, provide services to third parties on non-preferential terms, and upon normal rates and charges, in accordance with the Merced Municipal Code, but only if such use will not result in the inclusion of interest on the Bonds in gross income for California and federal income tax purposes;

WHEREAS, Section 54999.3 of the Government Code of the State of California permits a public agency such as the City to impose a capital facilities fee on The Regents if the amount of such capital facilities fee has been agreed to by the public agency and The Regents through negotiations entered into by both parties;

WHEREAS, the City and The Regents have heretofore entered into negotiations concerning the imposition by the City of a capital facilities fee on The Regents to pay the costs incurred by the City in connection with the Facilities, as represented by the ISA Payments, and the City and The Regents agree that (i) such a fee, in an aggregate amount equal to the aggregate amount of the ISA Payments, payable in the amounts and on the dates specified in the schedule attached hereto as Exhibit C (the "Capital Facilities Fee"), is an appropriate fee to be so imposed, (ii) the City has the legal authority to impose the Capital Facilities Fee on The Regents and (iii) subject to the provisions of this Agreement and the Service Contract, The Regents have accepted the responsibility to pay the Capital Facilities Fee; and

WHEREAS, The Regents desire to enter into this Agreement to provide for the payment by The Regents to the City of the Capital Facilities Fee;

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and agreed, the parties hereto do agree as follows:

Section 1. Representations and Warranties.

(a) Representations and Warranties of The Regents. The Regents represent and warrant to the City that:

- (i) The recitals set forth above are true and correct;
- (ii) As of the date of this Agreement, The Regents has requisite right, power and authority to enter into this Agreement;
- (iii) As of the date of this Agreement, all authorizations, approvals, licenses, consents and orders of any governmental authority or agency having jurisdiction of the matter that would constitute a condition precedent to, or the absence of which would materially and adversely affect, the execution of this Agreement by The Regents and the performance by The Regents of its obligations under this Agreement (other than the appropriation by the State of California (the "State") of the money necessary to pay the Capital Facilities Fee) have been obtained; and

(iv) This Agreement constitutes the legal, valid and binding obligation of The Regents enforceable in accordance with its terms.

(b) Representations and Warranties of the City. The City represents and warrants to The Regents that:

- (i) The recitals set forth above are true and correct;
- (ii) As of the date of this Agreement, the City has requisite right, power and authority to enter into this Agreement;
- (iii) As of the date of this Agreement, all authorizations, approvals, licenses, consents and orders of any governmental authority or agency having jurisdiction of the matter that would constitute a condition precedent to, or the absence of which would materially and adversely affect, the execution of this Agreement by the City and the performance by the City of its obligations under this Agreement have been obtained or, in the case of the encroachment permit to be issued by Merced County, will be obtained prior to commencement of construction of the Facilities; and

(iv) This Agreement constitutes the legal, valid and binding obligation of the City enforceable in accordance with its terms.

Section 2. Capital Facilities Fee. Subject to the City's delivery of the notice of completion provided for in the Installment Sale Agreement (the "Notice of Completion"), and receipt by the parties of the Exhibit D County Bank release, The Regents shall pay to the City the Capital Facilities Fee in the amounts and on the dates specified in the schedule attached hereto as Exhibit C, provided that The Regents shall not be required to make the first such payment until at least five (5) days after the City's delivery of the Notice of Completion. The City covenants that it will use such payments to make payments to the CIEDB under the Installment Sale Agreement, and The Regents understand that such payments may be used by the CIEDB to pay debt service on the Bonds. Moreover, the determination by the CIEDB as to the use of the Capital Facilities Fee shall not change the amount or timing thereof, except that portion of the Capital Facilities Fee representing optional prepayment. All payments made by The Regents on account of the Capital Facilities Fee shall be deposited by the City in the University Capital Charge Fund, and once such payments have been made by The Regents, The Regents' obligation to pay such part of the Capital Facility Fee shall be deemed immediately fulfilled.

To the extent that other users along the corridor of the Project connect to and receive City water and sewer service from the Project, the City shall collect fees or charges from third party users ("Connection Fees") and shall immediately deposit all Connection Fees, without offsets or deductions of any kind, into the University Capital Charge Fund held by the City. The City shall not extend any discounts or fee waivers to such third party Project users, and the Connection Fees shall in no event be less than amounts charged to third party users which connect to the City water and sewer systems during the same fiscal year, unless the City pays the amount of any discount or fee waiver to the University Capital Charge Fund at the time otherwise due for the payment of the Connection Fees. The City agrees to amend the Municipal Code so that The Regents shall be entitled to receive credit in determining the Capital Facilities Fees for any

Connection Fees paid into the University Capital Charge Fund within thirty (30) years of the date of this Agreement:

Within thirty (30) days of the deposit of any Connection Fees in the University Capital Charge Fund, the City shall provide to The Regents a Notice of Modified Schedule of Payments due to the City hereunder. The Notice of Modified Schedule of Payments shall be computed in accordance with Section 5(f) of the Service Contract. Such Notice of Modified Schedule of Payments shall provide for an immediate credit against The Regent's obligations under this Agreement in the amount of such deposit of any Connection Fees on a dollar for dollar basis until the full amount of such deposit has been so credited. Interest earned on funds in the University Capital Charge Fund shall accrue to and remain in the University Capital Charge Fund.

Section 3. Covenants of The Regents.

(a) Request for Funds, Budgets and Appropriations. The Regents shall take all such actions as may be necessary to include the Capital Facilities Fee due under this Agreement for each fiscal year in its annual budget. The Regents will furnish to each of the City and the CIEDB a copy of each such annual budget within thirty (30) days after the adoption thereof by The Regents, with a reference to the portion thereof that contains the appropriation to pay the Capital Facilities Fee payable hereunder in such fiscal year.

(b) Tax Exemption of Bonds.

(1) The Regents shall not permit the water or sewer service furnished to the Phase One UCM Campus to be used in a manner which would cause the Bonds to be "private activity bonds" within the meaning of Section 141 of the Tax Code and specifically shall not allow either such service to be used in the trade or business of any "non-governmental person," as defined in Treasury Regulations Section 1.141-1(b), other than in their roles as members of the general public. This restriction is in addition to any other restriction on water or sewer service contained in the Service Contract.

(2) Absent an opinion of nationally recognized bond counsel acceptable to CIEDB that the exclusion from gross income of interest on any Bonds will not be adversely affected for federal income tax purposes, all output received by The Regents with respect to the Project will be used for the general purposes of The Regents and not for resale to another person or entity.

(c) Duties Imposed by Law. The covenants on the part of The Regents herein contained shall be deemed to be and shall be construed to be duties imposed by law, and it shall be the duty of each and every public official of The Regents to take such action and do such things as are required by law in the performance of the official duty of such officials to enable The Regents to carry out and perform the agreements and covenants in this Agreement agreed to be carried out and performed by The Regents.

(d) Continuing Disclosure. Upon the request of the City, The Regents covenant to furnish the following data to the CIEDB in order to enable any underwriter to comply with Rule

15c2-12(b)(5) of the Securities and Exchange Commission in connection with the Bonds secured by the Installment Sales Agreement:

(1) The audited financial statements of the Regents for the prior fiscal year (presently June 30), prepared in accordance with generally accepted accounting principles applicable to public colleges and universities. If such audited financial statements are not available by seven months after the end of the fiscal year for The Regents, The Regents shall provide unaudited financial statements in a format that complies with current Generally Accepted Accounting Principles and the audited financial statements shall be provided when such financial statements become available.

Section 4. Obligation in the Event of Default.

(a) Written Demand. Upon failure of The Regents to (i) make any payment in full when due under this Agreement or (ii) perform any other obligation hereunder, the City shall make written demand upon The Regents. If a failure described in clause (i) above is not remedied within thirty (30) days from the date of such demand, such failure shall constitute a default at the expiration of such period. If a failure described in clause (ii) cannot be remedied within thirty (30) days from the date of such demand but The Regents commence remedial action within such thirty (30) day period and diligently pursue such remedial action to completion, such failure shall not constitute a default hereunder.

(b) Remedies Upon Default. Upon the failure of The Regents to make any payment within thirty (30) days from the date of the City's written demand, the City may give notice of termination of the Service Contract insofar as the same entitles The Regents to receive water and/or sewer service through the Facilities. Such notice shall be effective within thirty (30) days thereof unless such termination shall be enjoined, stayed or otherwise delayed by judicial action. Irrespective of such termination, The Regents shall remain liable to the City to pay the full amount of the Capital Facilities Fee as provided for herein.

(c) Enforcement of Remedies. In addition to the remedies set forth in this Section, upon the occurrence of a default under this Agreement, the City shall be entitled to proceed to protect and enforce the rights vested in the City by this Agreement by such appropriate judicial proceeding as the City shall deem most effectual, either by suit in equity or by action at law, whether for the specific performance of any covenant or agreement contained herein or to enforce any other legal or equitable right vested in the City by this Agreement or by law. The provisions of this Agreement and the duties of each party hereof, their respective boards, officers or employees shall be enforceable by the other party hereto by mandamus or other appropriate suit, action or proceeding in any court of competent jurisdiction, with the losing party paying all costs and attorney fees.

(d) CIEDB Is Third Party Beneficiary. The City and The Regents agree that the CIEDB shall have the right, as a third party beneficiary of this Agreement, to initiate and maintain suit to enforce this Agreement to the fullest extent allowable under applicable law.

(e) The Regents' Termination Rights. Nothing in the foregoing shall be deemed to limit The Regents' termination right set forth in Section 14(b) of the Service Contract, and on termination of the Service Contract thereunder, this Agreement shall automatically terminate on the same date.

Section 5. Amounts Remaining in University Capital Charge Fund. Following the City's payment in full of all amounts due under the Installment Sale Agreement, any amounts remaining in the University Capital Charge Fund shall be paid to The Regents.

Section 6. Term. The term of this Agreement shall continue until the date on which all amounts due under the Installment Sale Agreement have been paid in full.

Section 7. Assignment. The City may pledge and assign to the CIEDB or any trustee for Bonds, all or any portion of the payments received under this Agreement from The Regents and the City's other rights and interests under this Agreement.

Section 8. Miscellaneous.

(a) Headings. The headings of the sections hereof are inserted for convenience only and shall not be deemed a part of this Agreement.

(b) Partial Invalidity. If any one or more of the covenants or agreements provided in this Agreement to be performed should be determined to be invalid or contrary to law, such covenant or agreement shall be deemed and construed to be severable from the remaining covenants and agreements herein contained and shall in no way affect the validity of the remaining provisions of this Agreement.

(c) Counterparts. This Agreement may be executed in several counterparts, all or any of which shall be regarded for all purposes as one original and shall constitute and be but one and the same instrument. No counterpart shall be deemed to be an original or presumed delivered unless and until each party is in possession of the counterpart executed by the other party.

(d) Governing Law; Venue. This Agreement shall be construed in accordance with and governed by the Constitution and laws of the State of California applicable to contracts made and performed in the State of California. This Agreement shall be enforceable in the State of California and any action arising hereunder shall be filed and maintained in Sacramento County, California.

(e) Notices. Any notices required or permitted to be given hereunder shall be given in writing and shall be delivered (a) in person, (b) by certified mail, postage prepaid, return receipt requested, (c) by Federal Express or another reputable commercial overnight courier that guarantees next day delivery and provides a receipt, or (d) by telefacsimile or telecopy, and such notices shall be addressed as follows:

If to the City: City of Merced
 678 West 18th Street
 Merced, CA 95430
 Attn: City Manager, with a copy to the City Attorney

If to The Regents: UCM-Vice Chancellor-Administration
 P.O. Box 2039
 Merced, California 95344

With a copy to The Regents of the University of California
1111 Franklin Street, 8th Floor
Oakland, CA 94607
Attn: Office of the General Counsel

If to the CIEDB: California Infrastructure and Economic Development Bank
1102 Q Street, Suite 6000
Sacramento, California 95814
Attn: Credit Support Manager
CIEDB #03-043

or to such other address as either party may from time to time specify in writing to the other party. Any notice shall be deemed delivered when actually delivered, if such delivery is in person, upon deposit with the U.S. Postal Service, if such delivery is by certified mail, upon deposit with the overnight courier service, if such delivery is by an overnight courier service, and upon transmission, if such delivery is by telefacsimile or telecopy.

(f) Merger of Prior Agreements. This Agreement and the exhibits hereto constitute the entire agreement between the parties and supersede all prior agreements and understandings between the parties relating to the subject matter hereof. This acknowledgement pertains solely to the matters covered hereunder. It is understood and agreed by the parties that the Service Contract is also an agreement between the parties.

(g) Time of the Essence. Time is of the essence in the performance of this Agreement.

(h) Conflict with Service Contract. In the event of any inconsistency between the provisions of this Agreement and the provisions of any other agreement between the City and The Regents, including but not limited to the Service Contract, the provisions of this Agreement shall prevail; and no provision of this Agreement or any other agreement between the City and The Regents shall be construed as permitting The Regents to take any action or to omit to take any action if the effect thereof would be to prevent or to limit in any way the right of the City to receive payment of the Capital Facilities Fee.

(i) Assignment prohibition. Except as provided in Section 7 of this Agreement, neither the City nor The Regents shall assign its rights or responsibilities hereunder without the prior written approval of the other party and CIEDB, which approval shall not unreasonably be withheld.

(j) Inspection and copies.

(1) The City agrees that The Regents or its designees may inspect the City's records and accounts pertaining to the Capital Facilities Fee at all times during business hours.

(2) The City shall provide to The Regents at the same time it provides to CIEDB the audited financing statements and annual certificate required pursuant to Sections 5.03(b) and (c) of the Installment Sale Agreement.

(k) The City to Perform Under Installment Sale Agreement and Indemnify The Regents. City covenants to timely perform all of its obligations under the Installment Sales Agreement and shall indemnify, except as to any claim, loss, or demand resulting from the Regents failure to timely make required payments, The Regents for all claims, losses, damages or expenses which may arise from or be connected in any way with City's failure to perform such obligations, including, without limitation, any payment which may be imposed under the provisions of Section 2.04(f)(2) of the Installment Sales Agreement. The City and The Regents agree that any claim to indemnity is outside the provisions of this Agreement and no rights to indemnity shall result in any offsets or deductions of any kind hereunder.

(l) Effectiveness. This Agreement shall only be effective upon compliance with all conditions to The Regents' obligations to make payment under Section 2 hereof.

IN WITNESS WHEREOF the parties hereto have executed this Agreement as of the date first written above.

CITY OF MERCED

By: William H. Cabell
Assistant
Its: City Manager (Acting)

THE REGENTS OF THE UNIVERSITY OF
CALIFORNIA

By: [Signature]
Its: Vice Chancellor Administration
Univ of California, Merced

APPROVED AS TO FORM:

[Signature]
GREGORY G. DIAZ
City Attorney

Exhibit A
Description of Phase One of UCM Campus

Location: Phase One of the UC Merced Campus ("Phase One UCM Campus") will be sited on a portion of an existing golf course that was built on the southwest corner of the Virginia Smith Trust lands in 1994. Approximately one-half of the existing golf course site is available for Phase One development.

Infrastructure: The Phase One UCM Campus will accommodate all of the buildings needed by the campus to commence the opening of the campus through the 2007/2008 academic year.

On opening day in 2004, the campus is expected to include the following:

- 120,000 square foot library and information technology center.
- 100,000 square foot science and engineering building.
- 60,000 square foot humanities, arts and social sciences building.
- 20,000 square foot central plant to provide for the heating and cooling needs of the campus.
- Housing for approximately 600 students.
- Food service facilities for use by resident and commuter communities.
- Recreational and athletic facilities to meet the needs of the students in these first years of campus operations.
- Temporary and permanent parking facilities.
- Roads, bridges and utility systems to make the campus interconnected.

By the 2007/2008 academic year, the campus will include these additional elements:

- A 67,000 square foot science and engineering building to augment the original facility.
- A 60,000 square foot social sciences building.
- A 20,000 square foot logistics and support building to house healthcare, safety, maintenance, mail and distribution, purchasing and materials management functions.
- Additional recreational and athletic facilities, student housing for 1,600 students and permanent parking.

Exhibit B
Description of Facilities

Water. The Facilities include a sixteen (16) inch water line extended northerly from the present terminus of the City water lines, in North G Street near Cormorant Drive. This water line shall be extended north in G Street to Bellevue Road, and then east along Bellevue Road to a connection point near the boundary of the Phase One UCM Campus near the intersection of Bellevue and Lake Roads.

The City water line shall connect to the Phase One UCM Campus water system through a metered connection, and thence to a UCM storage tank, located on Phase One UCM Campus near the corner of Bellevue and Lake Roads. Said storage tank shall be constructed and owned by UCM as part of its distribution system and the City shall have no maintenance responsibility for the tank. The City water supply line shall discharge to the UCM storage tank through an air gap or double check valve assembly so that the City and UCM water distribution systems are separate from an operational standpoint. UCM shall provide its own on-campus water booster pump to maintain adequate pressures, and such pump shall not be provided as part of this Facilities. A City well shall be located on the UCM campus, and the well site shall be dedicated to the City at no additional charge or cost by The Regents, including value of the real property so dedicated. However, the well is not part of the Facilities nor considered part of Project Costs, but will be developed at the City's expense.

Sewer. The Facilities include a sanitary sewer line to be extended northerly from the present terminus of the City sewer lines, in North G Street near Cormorant Drive. The size of the line at its current terminus is twenty-seven (27) inches. A twenty-seven (27) inch sewer line shall be extended north in G Street to Cardella Road; the line becomes twenty-four (24) inches from Cardella Road to a point on Bellevue Road approximately 2,300 feet east of North G Street, and shall then be twenty-one (21) inches in size along Bellevue Road to a connection point near the boundary of the UCM Campus near the intersection of Bellevue and Lake Roads.

Exhibit C
Capital Facilities Fee

Payment Date	Ending Principal Balance	Principal Payment	Interest Payment	Total Principal & Interest	Annual Fee	Total Payment	Total Payment Fiscal Year Ending 30-Jun
1-May-2004	\$9,000,000						
1-Aug-2004	\$9,000,000		\$71,325	\$71,325	\$27,000	\$98,325	
1-Feb-2005	\$9,000,000		\$142,650	\$142,650		\$142,650	\$240,975
1-Aug-2005	\$8,965,000	\$35,000	\$142,650	\$177,650	\$27,000	\$204,650	
1-Feb-2006	\$8,965,000		\$142,095	\$142,095		\$142,095	\$346,745
1-Aug-2006	\$8,890,000	\$75,000	\$142,095	\$217,095	\$26,895	\$243,990	
1-Feb-2007	\$8,890,000		\$140,907	\$140,907		\$140,907	\$384,897
1-Aug-2007	\$8,790,000	\$100,000	\$140,907	\$240,907	\$26,670	\$267,577	
1-Feb-2008	\$8,790,000		\$139,322	\$139,322		\$139,322	\$406,898
1-Aug-2008	\$8,665,000	\$125,000	\$139,322	\$264,322	\$26,370	\$290,692	
1-Feb-2009	\$8,665,000		\$137,340	\$137,340		\$137,340	\$428,032
1-Aug-2009	\$8,540,000	\$125,000	\$137,340	\$262,340	\$25,995	\$288,335	
1-Feb-2010	\$8,540,000		\$135,359	\$135,359		\$135,359	\$423,694
1-Aug-2010	\$8,350,000	\$190,000	\$135,359	\$325,359	\$25,620	\$350,979	
1-Feb-2011	\$8,350,000		\$132,348	\$132,348		\$132,348	\$483,327
1-Aug-2011	\$8,150,000	\$200,000	\$132,348	\$332,348	\$25,050	\$357,398	
1-Feb-2012	\$8,150,000		\$129,178	\$129,178		\$129,178	\$486,575
1-Aug-2012	\$7,925,000	\$225,000	\$129,178	\$354,178	\$24,450	\$378,628	
1-Feb-2013	\$7,925,000		\$125,611	\$125,611		\$125,611	\$504,239
1-Aug-2013	\$7,700,000	\$225,000	\$125,611	\$350,611	\$23,775	\$374,386	
1-Feb-2014	\$7,700,000		\$122,045	\$122,045		\$122,045	\$496,431
1-Aug-2014	\$7,450,000	\$250,000	\$122,045	\$372,045	\$23,100	\$395,145	
1-Feb-2015	\$7,450,000		\$118,083	\$118,083		\$118,083	\$513,228
1-Aug-2015	\$7,175,000	\$275,000	\$118,083	\$393,083	\$22,350	\$415,433	
1-Feb-2016	\$7,175,000		\$113,724	\$113,724		\$113,724	\$529,156
1-Aug-2016	\$6,875,000	\$300,000	\$113,724	\$413,724	\$21,525	\$435,249	
1-Feb-2017	\$6,875,000		\$108,969	\$108,969		\$108,969	\$544,218
1-Aug-2017	\$6,575,000	\$300,000	\$108,969	\$408,969	\$20,625	\$429,594	
1-Feb-2018	\$6,575,000		\$104,214	\$104,214		\$104,214	\$533,808
1-Aug-2018	\$6,250,000	\$325,000	\$104,214	\$429,214	\$19,725	\$448,939	
1-Feb-2019	\$6,250,000		\$99,063	\$99,063		\$99,063	\$548,001
1-Aug-2019	\$5,925,000	\$325,000	\$99,063	\$424,063	\$18,750	\$442,813	
1-Feb-2020	\$5,925,000		\$93,911	\$93,911		\$93,911	\$536,724
1-Aug-2020	\$5,575,000	\$350,000	\$93,911	\$443,911	\$17,775	\$461,686	
1-Feb-2021	\$5,575,000		\$88,364	\$88,364		\$88,364	\$550,050
1-Aug-2021	\$5,225,000	\$350,000	\$88,364	\$438,364	\$16,725	\$455,089	
1-Feb-2022	\$5,225,000		\$82,816	\$82,816		\$82,816	\$537,905
1-Aug-2022	\$4,850,000	\$375,000	\$82,816	\$457,816	\$15,675	\$473,491	

Payment Date	Ending Principal Balance	Principal Payment	Interest Payment	Total Principal & Interest	Annual Fee	Total Payment	Total Payment Fiscal Year Ending 30-Jun
1-Feb-2023	\$4,850,000		\$76,873	\$76,873		\$76,873	\$550,364
1-Aug-2023	\$4,475,000	\$375,000	\$76,873	\$451,873	\$14,550	\$466,423	
1-Feb-2024	\$4,475,000		\$70,929	\$70,929		\$70,929	\$537,351
1-Aug-2024	\$4,075,000	\$400,000	\$70,929	\$470,929	\$13,425	\$484,354	
1-Feb-2025	\$4,075,000		\$64,589	\$64,589		\$64,589	\$548,943
1-Aug-2025	\$3,675,000	\$400,000	\$64,589	\$464,589	\$12,225	\$476,814	
1-Feb-2026	\$3,675,000		\$58,249	\$58,249		\$58,249	\$535,063
1-Aug-2026	\$3,250,000	\$425,000	\$58,249	\$483,249	\$11,025	\$494,274	
1-Feb-2027	\$3,250,000		\$51,513	\$51,513		\$51,513	\$545,786
1-Aug-2027	\$2,825,000	\$425,000	\$51,513	\$476,513	\$9,750	\$486,263	
1-Feb-2028	\$2,825,000		\$44,776	\$44,776		\$44,776	\$531,039
1-Aug-2028	\$2,375,000	\$450,000	\$44,776	\$494,776	\$8,475	\$503,251	
1-Feb-2029	\$2,375,000		\$37,644	\$37,644		\$37,644	\$540,895
1-Aug-2029	\$1,925,000	\$450,000	\$37,644	\$487,644	\$7,125	\$494,769	
1-Feb-2030	\$1,925,000		\$30,511	\$30,511		\$30,511	\$525,280
1-Aug-2030	\$1,450,000	\$475,000	\$30,511	\$505,511	\$5,775	\$511,286	
1-Feb-2031	\$1,450,000		\$22,983	\$22,983		\$22,983	\$534,269
1-Aug-2031	\$975,000	\$475,000	\$22,983	\$497,983	\$4,350	\$502,333	
1-Feb-2032	\$975,000		\$15,454	\$15,454		\$15,454	\$517,786
1-Aug-2032	\$500,000	\$475,000	\$15,454	\$490,454	\$2,925	\$493,379	
1-Feb-2033	\$500,000		\$7,925	\$7,925		\$7,925	\$501,304
1-Aug-2033	\$0	\$500,000	\$7,925	\$507,925	\$1,500	\$509,425	
1-Feb-2034			\$0	\$0		\$0	\$509,425
Total Payments:		\$9,000,000	\$5,346,205	\$14,346,205	\$526,200	\$14,872,405	\$14,872,405

NOTE: This amortization schedule is an estimate only and assumes that the total amount of Project Funds will be disbursed as of May 1, 2004. Please note that prior to the Bond Date during the interest only period, ISA Payments will be calculated on amounts disbursed. Principal shall be due as scheduled below. A replacement amortization schedule will be sent to the Purchaser upon the Bond Date.

Exhibit D
County Bank Release

County Bank entered into a loan agreement with the City of Merced ("City") dated as of October __, 2003 ("Loan Agreement") to provide construction financing ("Loan") for City water and sewer improvements ("Facilities") required for Phase One of the University of California Merced Campus. The Loan Agreement is secured by a capital facility fee agreement obligating The Regent of the University of California ("The Regents") to pay a fee for the availability of the Facilities (County Bank CFFA).

The Loan has been repaid in full and County Bank hereby releases its interest in the County Bank CFFA.

Signed this __ day of ____, 200__.

By: _____

Its: _____



ADMINISTRATIVE REPORT

Agenda Item H.10.

Meeting Date: 7/15/2019

Report Prepared by: Karen Baker, Development Associate, Merced Visitor Services

SUBJECT: Approval of Lease Agreement Between the City of Merced and Coralisa Gary, d.b.a. Glamazon, for 490 Square-Feet of Tenant Space in the Bell Station (415 W. 18th Street) for a Three (3) Year Term and a One Year Option with Rent Starting at \$612.50 Per Month

REPORT IN BRIEF

Considers a lease agreement (3-year term with a 1-year option) with Coralisa Gary, d.b.a. Glamazon for tenant space in the Bell Station located at 415 W. 18th Street.

RECOMMENDATION

City Council - Adopt a motion approving the lease agreement between Coralisa Gary, a sole proprietor, doing business as Glamazon and the City of Merced and authorizing the City Manager or the Assistant City Manager to execute the necessary documents.

ALTERNATIVES

1. Approve as recommended by staff; or,
2. Approve, subject to modifications as conditioned by Council; or,
3. Deny the request completely; or,
4. Refer back to staff for reconsideration of specific items as requested by Council; or,
5. Continue item to a future Council meeting (date to be specified in City Council motion).

AUTHORITY

Section 200 of the City of Merced Charter.

CITY COUNCIL PRIORITIES

City of Merced Adopted Budget Fiscal Year 2019-2020, Section 7 - Economic Development (Bell Station): Goal - "Secure and maintain tenants for the main level of the facility (Bell Station) while preserving its historic character."

DISCUSSION

Staff has negotiated a Lease Agreement with Coralisa Gary, doing business as Glamazon, for 490 square-feet of tenant space located in the Bell Station, 415 W. 18th Street (Attachment 1.) The Lease Agreement includes a 3-year term, a 1-year option, and rent starting at \$612.50 per month (\$1.25 per square-foot.) The negotiated rent includes utilities and maintenance as part of the lease. The rent revenues generated are deposited into the Bell Station Fund, Line 063-2005-352.10-12.

Coralisa Gary, d.b.a. Glamazon, operates a home-based business that is growing. She desires to expand the business by moving into a larger retail space and include a showroom and storage area. Considered a fashion boutique, Glamazon specializes in custom jewelry and cutting-edge fashions. Most of the business is conducted on-line, but the tenant space in Bell Station will allow Ms. Gary to have a retail store front and showroom.

Key Lease Terms: Notable terms of the Lease Agreement include:

Parties: Lessor: City of Merced
 Lessee: Coralisa Gary
 d.b.a., Glamazon

Premises: The subject site is a portion of the City-owned Bell Station, located at 415 W. 18Th Street, consisting of 490 square-feet. Use of the common area facilities include the lobby area, bathrooms for patrons and business staff (See Exhibits A and B of Attachment 1).

Term: Three (3) year lease with one (1) year term commencing on year four (4).

Rent: Year 1: \$ 612.50 per month
 Year 2: \$ 630.50 per month
 Year 3: \$ 650.00 per month
 Year 4: \$ 670.50 per month

Tenant

Improvements: No tenant improvement (TI) allowance is included.

Utilities and Maintenance: Lease rate includes cost of water, sewer, garbage, and electricity. Also includes costs for maintenance, repairs, and janitorial services for the Common Area (See Exhibit C of Attachment 1).

The Lease includes an option for early termination. Early termination during year one (1) incurs a ten percent (10%) penalty on the remaining months left in the term. Failure to pay ten percent (10%) early termination penalty shall result in the forfeiture of Lessee's security deposit in equal amount to penalty owed.

Home-based Glamazon expanding into a retail space in the Bell Station is consistent with the Zoning designation of Central-Commercial and is a welcome addition to Downtown Merced.

IMPACT ON CITY RESOURCES

The rent revenues generated are deposited into the Bell Station Rent of Facilities account 063-2005-352.10-12, which is used for ongoing operations and maintenance.

ATTACHMENTS

1. Coralisa Gary, DBA Glamazon Lease Agreement

Bell Station Federal Building LEASE AGREEMENT

THIS LEASE made this _____ day of _____ 2019, by and between the City of Merced, a California Municipal Charter Corporation ("Lessor"), and the Coralisa Gary, doing business as Glamazon, whose address of record is 95 West Alexander Avenue, Apt. 6, Merced, California 95348, ("Lessee").

WHEREAS, The Lessor is the owner of the Bell Station Federal Building located on the northwest corner of 18th Street and "K" Street (APN 031-064-007); and,

WHEREAS, Lessee desires to lease certain office space at the Bell Station Federal Building, located at 415 West 18th Street, Suite 6, Merced California 95340.

NOW, THEREFORE, in consideration of the terms and conditions set forth herein, and for other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged and agreed, the Lessor and Lessee do hereby agree as follows;

1. DEFINITIONS:

- A. Building. "Building" is defined as that certain building and surrounding improvements known as the Bell Station Federal Building located at the northwest corner of 18th Street and "K" Street in Merced, California, and labeled Bell Station Federal Building on Exhibit A, which is incorporated herein by this reference.
- B. Common Area. "Common Area" shall be defined as the area in the Building consisting of the public lobby, corridor space adjoining the leasable space and restrooms north of the Leased Space labeled Common Area on the attached Exhibit B, which is incorporated herein by this reference.
- C. Leased Space. "Leased Space" is defined as the area in the Building actually leased and occupied by Lessee, consisting of 490 square feet identified on the attached Exhibit C, which is incorporated herein by this reference.

D. Premises. "Premises" includes the Leased Space and Common Area.

2. TERM. The term of this Lease shall commence upon mutual execution of the Lease and submittal by Lessee of satisfactory evidence of fulfilled requirement as in Section 13 and Section 25 of this Lease. The term of this Lease shall end three (3) years after mutual execution of the Lease. In addition, a one (1) year renewal, commencing at the end of said term may be exercised upon mutual agreement of both parties.

3. RENT. Lessor agrees to offer the Leased Space in the Building for lease and Lessee agrees and accepts the offer of the lease for the monthly rent set forth in this Section and for all of the terms and conditions of this Lease. Rent shall be prorated for the first month and thereafter payable on the 1st of each month, in advance, commencing upon mutual execution of the Lease and submittal by Lessee of satisfactory evidence of fulfilled requirement as in Section 13 and Section 25 of this Lease and shall be in the following amounts:

First Twelve (12) Months:	\$612.50 monthly
Second Twelve (12) Months:	\$630.50 monthly
Third Twelve (12) Months:	\$650.00 monthly

All rents shall be paid to Lessor or its authorized Agent, at the following address: 678 West 18th Street, Merced, CA 95340 or at such other places as may be designated by Lessor from time to time. In the event rent is not paid within ten (10) day after due date, Lessee agrees to pay a late charge of \$75.00 plus interest at twelve (12%) percent per annum on the delinquent amount. Lessee further agrees to pay \$100.00 for each dishonored bank check. The late charge period is NOT a grace period, and Lessor is entitled to make written demand for any rent not paid when due.

In the event that the renewal option is exercised, the rent payment shall be as follows:

First Twelve (12) Months:	\$670.50 monthly
---------------------------	------------------

4. EARLY TERMINATION. Lessee shall provide Lessor one (1) month's notice of Lessee's intent to terminate the Lease during year one (1) of the Lease with a ten percent (10%) penalty on the remaining months left in the term.

Failure to pay ten percent (10%) early termination penalty shall result in forfeiture of Lessee's security deposit in equal amount to penalty owed.

5. USE. The Leased Space is to be used for the operation of an office space and related uses and for no other purpose, without prior written consent of Lessor. The proposed office is consistent with the Central-Commercial Zoning Ordinance in Downtown. Lessee shall not commit any waste upon the Premises, or any nuisance or act that may disturb the quiet enjoyment of any tenant in the building.

6. USES PROHIBITED. Lessee shall not use any portion of the Premises for purposes other than those specified. Specifically, the following are excluded uses: pawn shops, tattoo parlors, skateboard shops, adult businesses, payday loan businesses, billiard or pool halls, dance halls, mobile food vendors, or bail bond businesses.

7. COVENANTS AND AGREEMENTS. There shall be no visible bars or grates over or behind any window visible from a public street or right-of-way. Any permanent signage must comply with City of Merced ordinances, must be of high quality materials, and shall not use tempera paint. Lessee shall have access to one (1) parking stall located in the back of the Building. Lessee agrees to require all other employee and business vehicles to park in the parking lot southwest of the Bell Station Federal Building, and shall not park vehicles at any time along 18th Street or "K" Street.

8. ASSIGNMENT AND SUBLETTING. Lessee shall not assign this Lease or sublet any portion of the Leased Space without prior written consent of the Lessor. Any such assignment or subletting without consent may, at the option of Lessor, constitute a breach of this Lease.

9. ORDINANCES AND STATUTES. Lessee shall comply with all statutes, ordinances, and requirements of all municipal, state, and federal authorities now in force, or which may later be in force.

10. MAINTENANCE, REPAIRS, ALTERATIONS.

A. Unless otherwise indicated, Lessee acknowledges that the Premises are in good order and repair. Lessee shall, at its own expense, maintain the Leased Space in a good and safe condition, including plate glass, electrical wiring, plumbing and heating installations, and any other system or equipment. The

Leased Space shall be surrendered, at termination of the Lease, in as good condition as received, normal wear and tear excepted. Lessee shall be responsible for all repairs required as the result of damage, actions or negligence by Lessee or its agents.

B. Lessee acknowledges that the Building is listed on the National Register of Historic Places and that certain modifications may require approval from the Office of the Keeper of the Register. Lessee agrees not to make any modifications without the consent of the Lessor and the Keeper, if applicable.

C. To the extent that authorized modifications or improvements to the Leased Space occur, such improvements must comply with the Department of the Interior's Regulations under the Federal Civil Rights Act, which include no discrimination in hiring or other employment practices.

11. ENTRY AND INSPECTION. Lessee shall permit Lessor or Lessor's agents to enter the Premises at reasonable times and upon reasonable notice for the purpose of inspecting the Premises, and shall permit Lessor, at any time within sixty (60) days prior to the expiration of this Lease to place upon the Premises any usual "To Let" or "For Lease" signs, and permit persons desiring to lease the Premises to inspect the Premises at reasonable times.

12. INDEMNITY BY LESSEE. Lessee shall indemnify, protect, defend (with counsel selected by Lessor) and hold Lessor and its officers, employees, and agents harmless from all liabilities, claims or causes of action for death or injury to persons, or damage to property arising out of Lessee's use of the Premises. It is understood that the duty of Lessee to indemnify and hold harmless includes the duty to defend as set forth in Section 2778 of the California Civil Code.

Acceptance by Lessor of insurance certificates and endorsements required under this Lease does not relieve Lessee from liability under this indemnification and hold harmless clause. This indemnification and hold harmless clause shall survive the termination of this Lease and shall apply to any damages or claims for damages whether or not such insurance policies shall have been determined to apply. By execution of this Lease, Lessee acknowledges and agrees to the provisions of this Section and that it is a material element of consideration.

13. LESSEE'S INSURANCE. Lessee, at its expense, shall maintain general liability insurance, including bodily injury and property damage, insuring Lessee with minimum coverage as follows: \$1 million combined personal injury and property damage. Lessee shall name Lessor, and its officers, officials,

employees and agents as additional insureds and shall provide Lessor with a Certificate of Insurance showing such. The policy shall require thirty (30) DAYS' WRITTEN NOTICE TO LESSOR PRIOR TO CANCELLATION OR MATERIAL CHANGE OF COVERAGE.

Lessee at its cost shall maintain on all its personal property, Lessee improvements, and alterations, in, on, or about the Leased Space, a policy of standard fire and extended coverage insurance with vandalism and malicious mischief endorsements, to the extent of at least 100% of their full replacement value. The proceeds from any such policy shall be used by Lessee first for the restoration of Lessee's improvements or alterations and any remaining amount for the replacement of personal property.

14. UTILITIES. Lessor shall furnish to Lessee during the Lease term, at Lessor's sole cost, the following utilities: water, sewer, gas, electricity, heating, air conditioning, and refuse. Lessee agrees that it shall be responsible for all other services delivered the Premises. In the event that the renewal option is exercised, Lessor has the right to evaluate the rates for the following utilities: water, sewer, gas, electricity, heating, air conditioning, and refuse, and if necessary, adjust the rent accordingly.

15. RESERVED.

16. CAM/ TAXES/ INSURANCE. This Agreement is net of taxes and insurance. A monthly Common Area Maintenance "CAM" fee is included in the monthly rent payments.

17. SIGNS. Lessee acknowledges that the Building is listed on the National Register of Historic Places. Before Lessee installs any signs on or within the Building, Lessee shall ensure that said signs comply with all historic preservation requirements. Lessor reserves the exclusive right to the roof, side, and rear walls of the Premises, except that signs may be erected by Lessee, if in compliance with the City's Sign Ordinance and which shall be subject to review as tenant improvements.

18. ABANDONMENT OF PREMISES. Lessee shall not vacate or abandon the Premises at any time during the term of this Lease. If Lessee abandons or vacates the Premises, or is dispossessed by process of law, or otherwise, any personal property belonging to Lessee left on the Premises shall be deemed to be abandoned, at the option of Lessor.

19. CONDEMNATION. If any part of the Premises is condemned for public use, and a part remains which is susceptible of occupation by Lessee, this Lease shall, as to the part taken, terminate as of the date the condemnor acquires possession. Lessee shall be required to pay such proportion of the rent for the remaining term as the value of the Leased Space remaining bears to the total value of the Premises at the date of condemnation; provided, however, that Lessor may at its option, terminate this Lease as of the date the condemnor acquires possession. In the event that the Premises are condemned in whole, or the remainder is not susceptible for use by the Lessee, this Lease shall terminate upon the date which the condemnor acquires possession. All sums which may be payable on account of any condemnation shall belong solely to the Lessor; except that Lessee shall be entitled to retain any amount awarded to it for its goodwill, trade fixtures, or moving expenses.

20. TRADE FIXTURES. Any and all improvements made to the Premises during the term shall belong to the Lessor, except trade fixtures of the Lessee. Lessee may, upon termination, remove all its trade fixtures, but shall pay for all costs necessary to repair any damage to the Premises occasioned by the removal.

21. DESTRUCTION OF PREMISES. In the event of a partial destruction of the Premises during the term, from any cause, Lessor shall promptly repair the Premises, provided that such repairs can be reasonably made WITHIN SIXTY (60) DAYS. Such partial destruction shall not terminate this Lease, except that Lessee shall be entitled to a proportionate reduction of rent while such repairs are being made, based upon the extent to which the making of such repairs interferes with the business of Lessee on the Premises. If the repairs cannot be made WITHIN SIXTY (60) DAYS, this Lease may be terminated at the option of either party by giving written notice to the other party WITHIN THE SIXTY (60) DAY PERIOD.

22. HAZARDOUS MATERIALS. Lessee shall not use, store, or dispose of any hazardous substances upon the Premises, except the use and storage of such substances that are customarily used in Lessee's business, and are in compliance with all environmental laws. Hazardous substances means any hazardous waste, substance or toxic materials regulated under any environmental law or regulations applicable to the Premises.

23. INSOLVENCY. The appointment of a receiver, an assignment for the benefits of creditors, or the filing of a petition in bankruptcy by or against Lessee, shall constitute a breach of this Lease by Lessee.

24. **DEFAULT.** In the event of any breach of this Lease, Lessor may, at its option, terminate the Lease and recover from Lessee:

- A. The worth at the time of award of the unpaid rent, which had been earned at the time of termination;
- B. The worth at the time of award of the amount by which the unpaid rent which would have been earned after termination until the time of the award exceeds the amount of such rental loss that the Lessee proves could have been reasonably avoided;
- C. The worth at the time of award of the amount by which the unpaid rent for the balance of the term after the time of award exceeds the amount of such rental loss that the Lessee proves could be reasonably avoided; and,
- D. Any other amount necessary to compensate Lessor for all the detriment proximately caused by the Lessee's failure to perform its obligations under the Lease or which in the ordinary course of things would be likely to result there from.

Lessor may, in the alternative, continue this Lease in effect, as long as Lessor does not terminate Lessee's right to possession, and Lessor may enforce all of Lessor's rights and remedies under the Lease, including the right to recover the rent as it becomes due under the Lease. If said breach of Lease continues, Lessor may, at any time thereafter, elect to terminate the Lease.

Nothing contained herein shall be deemed to limit any other rights or remedies which Lessor may have.

25. **SECURITY.** A security deposit of Five Hundred Dollars (\$500.00) shall secure the performance of the Lessee's obligations and shall be paid upon execution of this Lease Agreement. Lessor may, but shall not be obligated to apply all or portions of the deposit on account of Lessee's obligations. Any balance remaining upon termination shall be returned to Lessee.

26. **DEPOSIT REFUNDS.** The balance of all deposits shall be refunded **WITHIN THREE (3) WEEKS** (or otherwise required by law), from date

possession is delivered to Lessor, together with a statement showing any charges made against such deposits by Lessor.

27. ATTORNEY'S FEE AND COSTS. In any action or proceeding involving a dispute between Lessor and Lessee arising out of this Lease, the prevailing party shall be entitled to reasonable attorney's fees.

28. WAIVER. No failure of Lessor to enforce any term of this Lease shall be deemed to be a waiver.

29. NOTICES. Any notice which either party may or is required to give, shall be given by mailing the same, postage prepaid, to Lessee at the Leased Space, or to Lessor at the address shown in Item 3, or at such other places as may be designated by the parties from time to time. Notice shall be effective FIVE (5) DAYS AFTER MAILING, or immediately upon personal delivery.

30. HOLDING OVER.

- A. Any holding over after the expiration of this Lease, with the consent of Lessor, shall become month-to-month tenancy at a monthly rent of Seven Hundred Forty Dollars (\$740.00), or ten percent (10%) above the ending Lease rate, whichever is applicable, payable in advance and otherwise subject to the terms of this Lease, as applicable, until either party shall terminate the same by giving the other party THIRTY (30) DAYS WRITTEN NOTICE.
- B. Any holding over after the expiration of this Lease, without the prior written consent of Lessor, shall become a month-to-month tenancy at a monthly rent which shall be ten percent (10%) above the ending monthly lease rate as set by Section 3 hereof, payable in advance and otherwise subject to the terms of this Lease, as applicable, until Lessee shall vacate the Premises. In addition, in the event it becomes necessary for Lessor to evict Lessee from the Premises, Lessee agrees to reimburse Lessor for any and all costs and expenses, including attorney fees, and to be liable to Lessor for any and all damages, including damages Lessor incurs as to third parties under subsequent Lease Agreements for the Premises.

31. **TIME.** Time is of the essence of this Lease.
32. **HEIRS, ASSIGNS, SUCCESSORS.** This Lease is binding upon and inures to the benefit of the heirs, assigns, and successors of the parties.
33. **LESSOR'S LIABILITY.** In the event of a transfer of Lessor's title or interest to the Premises during the term of this Lease, Lessee agrees that the grantee of such title or interest shall be substituted as the Lessor under this Lease, and the original Lessor shall be released of all further liability; provided, that all deposits shall be transferred to the grantee.
34. **IMPROVEMENTS SUPPLIED BY LESSEE.** The Premises are supplied as is by Lessor. All improvements are to be supplied by Lessee, including but not limited to HVAC, demising walls, lighting, floor and wall finishes, telephone systems, ceilings, lighting and all other improvements, other than trade fixtures, shall remain in place and become property of the Lessor upon termination of the Lease. Lessee shall obtain all necessary permits and complete all building modifications utilizing current building codes. All improvements are subject to Lessor's written consent.
35. **IMPROVEMENT DESIGN.** Tenant improvement design shall be approved by Lessor prior to start of construction. Consent shall not be unreasonably withheld. Lessor shall have right to modify, complete, or extend common walls installed by Lessee, into Premises occupied by other tenants.
36. **MODIFIED GROSS.** This Lease is net of taxes and insurance. Lessee's occupancy of Leased Space may give rise to a possessory interest tax, and Lessee agrees to pay such tax or other property taxes as may be levied.
37. **BROKERS' COMMISSIONS.** Reserved
38. **LESSOR'S WARRANTY OF TITLE.** Lessor represents and warrants that:
- A. Lessor is or will be the sole owner in fee simple of the Premises and the Building thereon and has full right and power to grant the estate demised and to execute and perform this Lease;

- B. The Premises Building will remain free and clear of all encumbrances that could adversely affect Lessee's leasehold estate; and
- C. The intended user of the Premises for purposes stated herein is permitted by all applicable zoning laws and regulations.

39. QUIET ENJOYMENT. Lessor covenants and agrees that so long as Lessee observes and performs all the agreements and covenants required of it hereunder, Lessee shall peaceably and quietly have, hold and enjoy the Leased Space for the Term without any encumbrance or hindrance by Lessor.

40. DISCRIMINATION. The parties further agree that no person or groups of persons on the grounds of race, creed, religion, disability, sex, marital status, color or national origin or ancestry shall be discriminated against in the use of the tenant space.

41. INDEMNIFICATION. Lessee shall save, protect, defend (with counsel selected by Lessor), and hold Lessor harmless from and indemnify Lessor against any and all claims, demands, suits, judgments, costs, and expenses asserted by any person or persons, including agents or employees of Lessee or Lessor, by reasons of death or injury to persons, or loss or damage to property, including but not limited to claims for dangerous conditions of Lessor's property, resulting from Lessor's activities upon the Building, or as a result of the Lessee's use of the Building.

42. DAMAGE. Lessee shall be responsible for any damage to Lessor's property which may result from Lessee's activities conducted on the Premises.

43. EXHIBITS. The Exhibits and Attachments which are attached hereto are incorporated herein by this reference as if set forth in full.

44. COVENANTS. The Lessee herein covenants by and for himself, his heirs, executors, administrators, and assigns, and all persons claiming under or through him, and this Lease is made and accepted upon and subject to the following conditions.

45. MISCELLANEOUS PROVISIONS.

A. *Entire Agreement.* This Lease represents the entire agreement between the parties with respect to the subject matter hereof and supersedes all

prior agreements and understandings, whether oral or written, between the parties with respect to the matters contained in this Lease.

B. *Section Headings.* The section headings contained in this Lease are for convenience and identification only and shall not be deemed to limit or define the contents to which they relate.

C. *No Reliance on Other Parties.* All parties to this Lease declare that, prior to the execution of this Lease, they have informed themselves of sufficient relevant data, either through experts or other sources of their own selection in order that they might intelligently exercise their own judgment in evaluating the contents of this Lease and making the decision to execute it. The parties each represent and acknowledge that in executing this Lease, they do not rely and have not relied upon any representation or statement not set forth herein made by any other party to this Lease with regard to the subject matter, basis or effect of this Lease.

D. *Construction.* The provisions of this Lease shall be liberally construed to effectuate its purpose. The language of this Lease shall be construed simply according to its plain meaning and shall not be construed for or against any party, as each party has participated in the drafting of this Lease. Whenever the context and construction so require, all words used in the singular shall be deemed to be used in the plural, and vice versa.

E. *Governing Law.* The validity and interpretation of this Amendment shall be governed by the laws of the State of California without giving effect to the principles of conflict of laws. Any action to enforce any provision of this Lease shall be brought in state courts for Merced County.

That there shall be no discrimination against or segregation of any person or group of persons on account of race, color, creed, disability, religion, sex, marital status, ancestry, or national origin in the Lease, sublease, transfer, assignment, use, occupancy, tenure, or enjoyment of the Leased Space herein leased nor shall the Lessee himself, or nay person claiming under or through him, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use, or occupancy, of tenants, lessees, sublessees, subtenants, or vendees in the Leased Space herein leased.

IN WITNESS WHEREOF, the parties have caused this Lease to be executed on the date first above written.

LESSOR:
CITY OF MERCED
A California Charter Municipal
Corporation

BY: _____
City Manager

ATTEST:
STEVE CARRIGAN, CITY CLERK

BY: _____
Assistant/Deputy City Clerk

APPROVED AS TO FORM:

BY: Shirley A. Smith 5-13-17
City Attorney Date

ACCOUNT DATA:

BY: _____
Verified by Finance Officer

LESSEE:
CORALISA GARY
dba GLAMAZON

BY: _____

Coralisa Gary

ADDRESS: 95 W. Alexander Ave.,
Apt. 6
Merced, CA 95348

TELEPHONE: (209) 628-4599

FAX: _____

E-MAIL: byhzhand1@yahoo.com

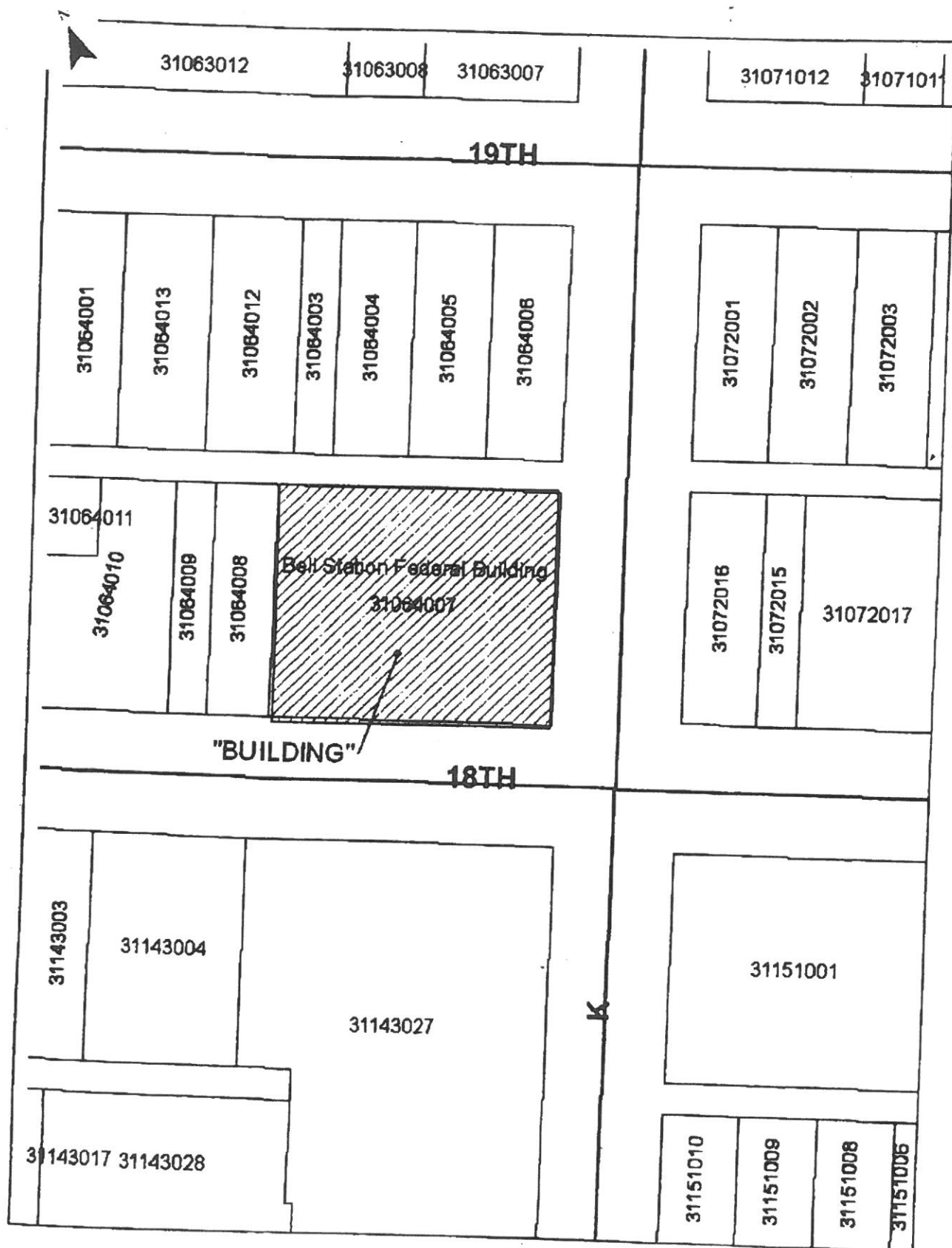
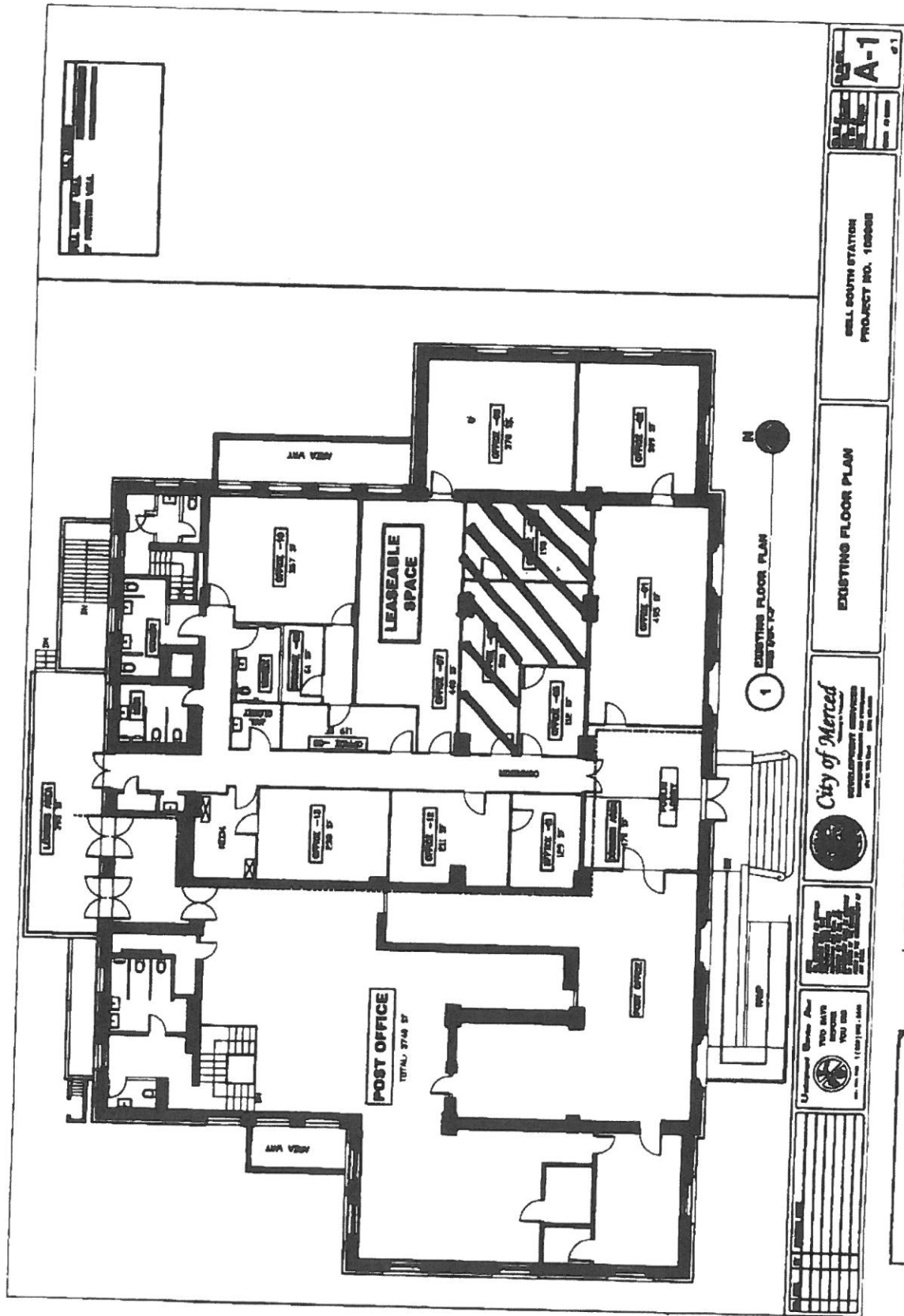


EXHIBIT A



LEASED SPACE

EXHIBIT C



ADMINISTRATIVE REPORT

Agenda Item H.11.

Meeting Date: 7/15/2019

Report Prepared by: Frank Quintero, Director of Economic Development

SUBJECT: Approval of Professional Service Agreement Between the City of Merced and Chabin Concepts for On-Call Economic Development Services in the Not to Exceed Amount of \$50,000.00

REPORT IN BRIEF

Considers approving the terms and scope of services for a Professional Services Agreement with Chabin Concepts to provide on-call consulting services to the Office of Economic Development.

RECOMMENDATION

City Council - Adopt a motion approving the professional services agreement between the City of Merced and Chabin Concepts, Inc. for on-call economic development consulting services in the amount not to exceed \$50,000.00 and authorizing the City Manager or the Assistant City Manager to execute all the necessary documents.

ALTERNATIVES

1. Approve as recommended by staff; or
2. Approve, subject to conditions as specified by the City Council; or
3. Deny the request; or,
4. Refer back to staff for reconsideration of specific items as requested by the Council, or
5. Defer action until a specified date

AUTHORITY

Charter of the City of Merced, Section 200

CITY COUNCIL PRIORITIES

City of Merced Adopted Budget Fiscal Year 2019-2020, Section 7 - Economic Development - Mission - Keep Merced as the Center: Implement strategic actions that will have the most direct impact on improving the City of Merced's economic growth and which continues to build Merced's role as the region's center for education, medical services, industry, and professional/commercial services.

DISCUSSION

Staff has negotiated a Professional Services Agreement with Chabin Concepts to provide "on-call" economic development services to the Office of Economic Development staff (Attachment 1.) The cost for Chabin Concepts' services is not to exceed \$50,000.00.

Chabin Concepts provides strategic actions to business attraction and retention, and has assisted

staff with coordinating trade show and marketing missions, and securing appointments with site consultants, industrial developers, and others involved with influencing industrial site location decisions. During the term of the proposed Professional Services Agreement, Chabin Concepts will advise staff on the Opportunity Zone program, Downtown Revitalization efforts, and current Site Consultant industrial trends and practices. Chabin Concepts is a familiar name in the Governor's Office of Economic and Business Development, and has an outstanding working knowledge of the California Competes and Employment Training Panel programs

As staff proceeds with expanding the City's base of industrial land to develop, seeks ways to expand Downtown Merced's parking supply, and updates the Certified Economic Development Strategy, Chabin Concepts will assist staff with packaging and presenting projects to the Economic Development Administration. When called upon, Chabin Concepts provides one-on-one business advising concerning California's Investment and workforce development programs.

Chabin Concepts is part of an economic development consultant network that has excellent contacts with industrial site location decision makers, expertise in downtown revitalization, retail development and recruitment, and placemaking. Chabin Concepts' network include companies such as DSG Advisors (site consultant), Kate McEnroe Consulting (workforce development), and Mary Bosch Consulting (downtown and retail development.)

Chabin Concepts economic development consultant network provides the Merced Office of Economic Development with a toolbox of professionals to support and supplement staff's efforts.

Chabin Concepts has supported staff in its industrial outreach efforts, responding to industrial leads, retail targeting, identifying land areas for industrial development, and has introduced staff to key corporate development officials.

IMPACT ON CITY RESOURCES

Funds to pay for the Professional Services Agreement with Chabin Concepts will come from Fund 2002, Economic Development, Line 001-2002-579-17-00.

ATTACHMENTS

1. Professional Services Agreement for FY 19-20

AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT is made and entered into this ____ day of _____, 2019, by and between the City of Merced, a California Charter Municipal Corporation, whose address of record is 678 West 18th Street, Merced, California 95340, (hereinafter referred to as "City") and Chabin Concepts, Inc., a California Corporation, whose address of record is 2515 Ceanothus Avenue, Suite 100, Chico, California 95973 (hereinafter referred to as "Consultant").

WHEREAS, City is undertaking a project to support economic development efforts; and,

WHEREAS, Consultant represents that it possesses the professional skills to provide "on-call" economic services in connection with said project.

NOW, THEREFORE, the parties hereto, in consideration of the mutual covenants hereinafter recited, hereby agree as follows:

1. SCOPE OF SERVICES. The Consultant shall furnish the following services: Consultant shall provide the back office and marketing services described in Exhibit "A" attached hereto.

No additional services shall be performed by Consultant unless approved in advance in writing by the City, stating the dollar value of the services, the method of payment, and any adjustment in contract time. All such services are to be coordinated with City and the results of the work shall be monitored by the Director of Economic Development or his designee. However, the means by which the work is accomplished shall be the sole responsibility of the Consultant.

2. TIME OF PERFORMANCE. All of the work shall be deemed finished upon completion of the Scope of Services in Exhibit "A" attached hereto and incorporated herein by reference.

3. RESERVED.

4. COMPENSATION. Payment by the City to the Consultant for actual services rendered under this Agreement shall be made upon presentation of an invoice detailing services performed under the Scope of Services, in accordance with the fee schedule set forth in Exhibit "A" attached hereto and incorporated herein by reference. The Consultant agrees to provide all services required under

the Scope of Services in Exhibit "A" within the compensation amount set forth in Exhibit "A". For Consultant's services rendered under this Agreement, City shall pay Consultant the not to exceed sum of Fifty Thousand Dollars (\$50,000.00), including expenses.

5. METHOD OF PAYMENT. Compensation to Consultant shall be paid by the City after submission by Consultant of an invoice delineating the services performed.

6. RECORDS. It is understood and agreed that all plans, studies, specifications, data magnetically or otherwise recorded on computer or computer diskettes, records, files, reports, etc., in possession of the Consultant relating to the matters covered by this Agreement shall be the property of the City, and Consultant hereby agrees to deliver the same to the City upon termination of the Agreement. It is understood and agreed that the documents and other materials including but not limited to those set forth hereinabove, prepared pursuant to this Agreement are prepared specifically for the City and are not necessarily suitable for any future or other use.

7. CONSULTANT'S BOOKS AND RECORDS. Consultant shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to charges for services or expenditures and disbursements charged to the City for a minimum of three (3) years, or for any longer period required by law, from the date of final payment to the Consultant to this Agreement. Any records or documents required to be maintained shall be made available for inspection, audit and/or copying at any time during regular business hours, upon oral or written request of the City.

8. INDEPENDENT CONTRACTOR. It is expressly understood that Consultant is an independent contractor and that its employees shall not be employees of or have any contractual relationship with the City. Consultant shall be responsible for the payment of all taxes, workers' compensation insurance and unemployment insurance. Should Consultant desire any insurance protection, the Consultant is to acquire same at its expense.

In the event Consultant or any employee, agent, or subcontractor of Consultant providing services under this Agreement is determined by a court of competent jurisdiction or the California Public Employees Retirement System (PERS) to be eligible for enrollment in PERS as an employee of the City, Consultant shall indemnify, protect, defend, and hold harmless the City for the

payment of any employee and/or employer contributions for PERS benefits on behalf of Consultant or its employees, agents, or subcontractors, as well as for the payment of any penalties and interest on such contributions, which would otherwise be the responsibility of City.

9. INDEMNITY. Consultant shall indemnify, protect, defend (with legal counsel selected by the City), save and hold City, its officers, employees, and agents, harmless from any and all claims or causes of action for death or injury to persons, or damage to property resulting from intentional or negligent acts, errors, or omissions of Consultant or Consultant's officers, employees, volunteers, and agents during performance of this Agreement, or from any violation of any federal, state, or municipal law or ordinance, to the extent caused, in whole or in part, by the willful misconduct, negligent acts, or omissions of Consultant or its employees, subcontractors, or agents, or by the quality or character of Consultant's work, or resulting from the negligence of the City, its officers, employees, volunteers and agents, except for loss caused by the sole negligence or willful misconduct of the City or its officers, employees, volunteers or agents. It is understood that the duty of Consultant to indemnify and hold harmless includes the duty to defend as set forth in Section 2778 of the California Civil Code. Acceptance by City of insurance certificates and endorsements required under this Agreement does not relieve Consultant from liability under this indemnification and hold harmless clause. This indemnification and hold harmless clause shall survive the termination of this Agreement and shall apply to any damages or claims for damages whether or not such insurance policies shall have been determined to apply. By execution of this Agreement, Consultant acknowledges and agrees to the provisions of this Section and that it is a material element of consideration.

10. INSURANCE. During the term of this Agreement, Consultant shall maintain in full force and effect at its own cost and expense, the following insurance coverage:

a. Workers' Compensation Insurance. Full workers' compensation insurance shall be provided with a limit of at least One Hundred Thousand Dollars (\$100,000) for any one person and as required by law, including Employer's Liability limits of \$1,000,000.00 per accident. The policy shall be endorsed to waive the insurer's subrogation rights against the City.

b. General Liability.

- (i) Consultant shall obtain and keep in full force and effect general liability coverage at least as broad as ISO commercial general liability coverage occurrence Form CG 0001.
- (ii) Consultant shall maintain limits of no less than One Million Dollars (\$1,000,000) per occurrence for bodily injury, personal injury and property damage.
- (iii) The City, its officers, employees, volunteers and agents are to be named as additional insureds under the policy, as respects liability arising out of work or operations performed by or on behalf of the Consultant.
- (iv) The policy shall stipulate that this insurance will operate as primary insurance for work performed by Consultant and its sub-contractors, and that any other insurance or self insurance maintained by City or other named insureds shall be excess and non-contributory.
- (v) Consultant shall maintain its commercial general liability coverage for three (3) years after completion of the work and shall add an additional insured endorsement form acceptable to the City naming the City of Merced, its officers, employees, agents and volunteers for each year thereafter for at least three (3) years after completion of the work. Copies of the annual renewal and additional insured endorsement form shall be sent to the City within thirty (30) days of the annual renewal.

c. Automobile Insurance.

- (i) Consultant shall obtain and keep in full force and effect an automobile policy of at least One Million Dollars (\$1,000,000) per accident for bodily injury and property damage.
- (ii) The City, its officers, employees, volunteers and agents are to be named as additional insureds under the policy, as respects automobiles owned, leased, hired or borrowed by the Consultant.
- (iii) The policy shall stipulate that this insurance will operate as primary insurance for work performed by Consultant and its

sub-contractors, and that any other insurance or self insurance maintained by City or other named insureds shall be excess and non-contributory.

d. Professional Liability Insurance. Consultant shall carry professional liability insurance appropriate to Consultant's profession in the minimum amount of One Million Dollars (\$1,000,000). Architects and engineers' coverage is to be endorsed to include contractual liability.

e. Qualifications of Insurer. The insurance shall be provided by an acceptable insurance provider, as determined by City, which satisfies all of the following minimum requirements:

- (i) An insurance carrier admitted to do business in California and maintaining an agent for service of process within this State; and,
- (ii) An insurance carrier with a current A.M. Best Rating of A:VII or better (except for workers' compensation provided through the California State Compensation Fund).

f. Certificate of Insurance. Consultant shall complete and file with the City prior to engaging in any operation or activity set forth in this Agreement, certificates of insurance evidencing coverage as set forth above and which shall provide that no cancellation or expiration by the insurance company will be made during the term of this Agreement, without thirty (30) days written notice to City prior to the effective date of such cancellation—including cancellation for nonpayment of premium.

g. Notwithstanding any language in this Agreement to the contrary, Consultant shall be entitled to be paid pursuant to the terms of this Agreement until Consultant has obtained the insurance required by this Section 10 and provided documentation of said insurance to the City. In addition to any other remedies City may have, City reserves the right to withhold payment if Consultant's insurance policies are not current.

11. ASSIGNABILITY OF AGREEMENT. It is understood and agreed that this Agreement contemplates personal performance by the Consultant and is based upon a determination of its unique personal competence and experience and upon its specialized personal knowledge. Assignments of any or all rights, duties

or obligations of the Consultant under this Agreement will be permitted only with the express written consent of the City.

12. **TERMINATION FOR CONVENIENCE OF CITY.** The City may terminate this Agreement any time by mailing a notice in writing to Consultant that the Agreement is terminated. Said Agreement shall then be deemed terminated, and no further work shall be performed by Consultant. If the Agreement is so terminated, the Consultant shall be paid for that percentage of the phase of work actually completed, based on a pro rata portion of the compensation for said phase satisfactorily completed at the time the notice of termination is received.

13. **CONFORMANCE TO APPLICABLE LAWS.** Consultant shall comply with its standard of care regarding all applicable Federal, State, and municipal laws, rules and ordinances. No discrimination shall be made by Consultant in the employment of persons to work under this contract because of race, color, national origin, ancestry, disability, sex or religion of such person.

Consultant hereby promises and agrees to comply with all of the provisions of the Federal Immigration and Nationality Act (8 U.S.C.A. 1101 *et seq.*), as amended; and in connection therewith, shall not employ unauthorized aliens as defined therein. Should Consultant so employ such unauthorized aliens for the performance of work and/or services covered by this Agreement, and should any agency or instrumentality of the federal or state government, including the courts, impose sanctions against the City for such use of unauthorized aliens, Consultant hereby agrees to, and shall, reimburse City for the cost of all such sanctions imposed, together with any and all costs, including attorneys' fees, incurred by the City in connection therewith.

14. **WAIVER.** In the event that either City or Consultant shall at any time or times waive any breach of this Agreement by the other, such waiver shall not constitute a waiver of any other or succeeding breach of this Agreement, whether of the same or any other covenant, condition or obligation. Waiver shall not be deemed effective until and unless signed by the waiving party.

15. **INCONSISTENT OR CONFLICTING TERMS IN AGREEMENT AND EXHIBITS.** In the event of any contradiction or inconsistency between any attached document(s) or exhibit(s) incorporated by reference herein and the provisions of the Agreement itself, the terms of the Agreement shall control.

Any exhibit that is attached and incorporated by reference shall be limited to the purposes for which it is attached, as specified in this Agreement. Any contractual terms or conditions contained in such exhibit imposing additional obligations on the City are not binding upon the City unless specifically agreed to in writing, and initialed by the authorized City representative, as to each additional contractual term or condition.

16. **AMBIGUITIES.** This Agreement has been negotiated at arms' length between persons knowledgeable in the matters dealt with herein. Accordingly, any rule of law, including, but not limited to, Section 1654 of the Civil Code of California, or any other statutes, legal decisions, or common-law principles of similar effect, that would require interpretation of any ambiguities in this Agreement against the party that drafted this Agreement is of no application and is hereby expressly waived.

17. **VENUE.** This Agreement and all matters relating to it shall be governed by the laws of the State of California and any action brought relating to this agreement shall be held exclusively in a state court in the County of Merced.

18. **AMENDMENT.** This Agreement shall not be amended, modified, or otherwise changed unless in writing and signed by both parties hereto.

19. **INTEGRATION.** This Agreement constitutes the entire understanding and agreement of the parties and supersedes all previous and/or contemporaneous understanding or agreement between the parties with respect to all or any part of the subject matter hereof.

20. **AUTHORITY TO EXECUTE.** The person or persons executing this Agreement on behalf of the parties hereto warrants and represents that he/she/they has/have the authority to execute this Agreement on behalf of their entity and has/have the authority to bind their party to the performance of its obligations hereunder.

21. **COUNTERPARTS.** This Agreement may be executed in one or more counterparts with each counterpart being deemed an original. No counterpart shall be deemed to be an original or presumed delivered unless and until the counterparts executed by the other parties hereto are in the physical possession of the party or parties seeking enforcement thereof.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the date first above written.

CITY OF MERCED
A California Charter Municipal
Corporation

BY: _____
City Manager

ATTEST:
STEVE CARRIGAN, CITY CLERK

BY: _____
Assistant/Deputy City Clerk

APPROVED AS TO FORM:

BY: Phaden A. Mtn 6-21-19
City Attorney Date

ACCOUNT DATA:

BY: _____
Verified by Finance Officer

CONSULTANT
CHABIN CONCEPTS, INC.,
A California Corporation

BY: Audrey E. Taylor
(Signature)

AUDREY E. TAYLOR
(Typed Name)

Its: PRESIDENT
(Title)

BY: Gerald A. Louie
(Signature)

GERALD A. LOUIE
(Typed Name)

Its: VICE PRESIDENT
(Title)

Taxpayer I.D. No. 68-0190084

ADDRESS: 2515 Ceanothus Ave.
Suite 100
Chico, CA 95973

TELEPHONE: (530) 345-0364

FAX: (530) 345-6417

E-MAIL: audrey@chabinconcepts.com

EXHIBIT A

Date: June 20, 2019

Client: City of Merced, CA

Project: On- Call Services for Office of Economic Development Staff FY 19-20

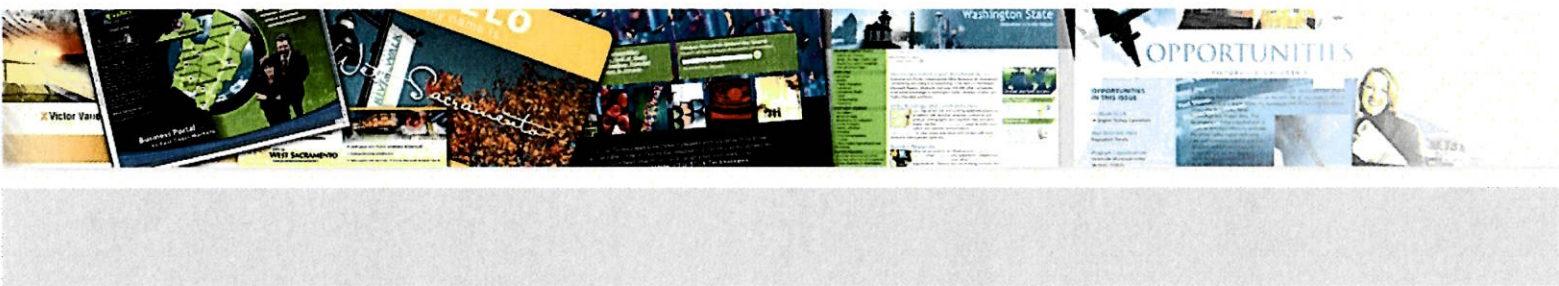
Chabin Concepts, Inc., is a full-service economic development consulting firm with experience in developing strategic actions, implementing initiatives, marketing, business recruitment, grant applications and State of California resource programs, such as, California Tax Credit program.

The Chabin Team has worked with the City on various initiatives and is very familiar with the goals, objectives and priorities of OED and the Council. Our method is to integrate our work as outsourced staff with the City as if we were city staff assigned to projects. This integration of our services saves OED time by having trusted, multi-faceted experienced individuals ready to immediately act on assignments. It is also a cost savings to the city compared to hiring one or more support staff.

SCOPE OF WORK

As part of the OED Team, Chabin Concepts will be “on-call” to provide a range of economic development technical assistance as needed. Services can include, but are not limited to, the following:

1. Business Resources Tools, Resources & Technical Assistance
 - Track status of programs managed by state and federal agencies.
 - Maintain current information on financing tools.
 - As needed, review with businesses various tools and resources available for their business or project.
 - As directed by OED staff, provide program overview and/or technical assistance to existing and new businesses, as identified, to access state and federal programs for businesses, such as, CalCompetes, PG&E Discount Rates, CaRecycle, California Energy Commission. Financing Programs, Sales Tax Program programs/applications.
2. Business Attraction
 - Prepare or assist preparing business/project proposals.
 - Update business case
 - Call and screen leads generated by OED staff.
 - Manage marketing campaign to target industry
3. Data and economic indicators
 - Update critical location decision data (retail or manufacturing).



- Update data on City of Merced website
- Coordinate semi-annual Economic Snapshot & Indicators reports and distribution.
- Organize and track Economic Center data using HdL
- Prepare annual report

4. Marketing

- Assist with marketing and promotion through social and earned media.
- Update business case for locating in Merced
- Website (review for approval for a separate website)
 - Maintain and populate updated data to Merced website to keep fresh.
 - Post articles, projects and progress to website.

5. Real Estate

- Review use of GIS Story map on business park and site inventory for all Merced real estate.
- Assist in documenting and profiling sites and buildings.

6. Infrastructure

- Assist with providing input and data to maintain an updated CEDS with EDA.
- Grants
 - Assist with infrastructure development resources, plans and applications.
 - Prepare research as needed by OED for grants and/or applications.

7. Partner Collaborations

- Attend as needed meetings regarding economic development projects and opportunities, such as, workforce.

8. Other items as needed and assigned by OED.

As key initiatives become priorities or opportunities arise Chabin can assist OED staff implement new initiatives. Services can include, but are not limited to, the following:

9. Work sessions, if needed, with council or committees to further defined priorities, actions, resources, constraints and timelines.
10. Work sessions, if needed, with collaborators to engage and/or align their work efforts to have shared vision and outcomes for key initiatives.
11. Manage agreed upon projects with collaborators.
12. Assist OED with planning, outreach, resource development for catalyst projects.



13. Assist OED in placemaking activities with Economic Centers, entrances, gateways and infrastructure, Chabin will assist in planning, resource development and grant applications as needed.

Key Deliverables:

- Data & Economic Indicators – updated annually on website
- Retail Market Report – updated annually with leakage report
- Site Selector Trends and Review Workshop

Options

- Add a place-centered work session with Downtown, overview of current trends and opportunities, 30/30
- Add 1 site selector tour (or small FAM tour)
- Add having Dr. Rob Eyler, Chief Economist, do a Forecast Eventmaybe with the Mayor's state of the City or a separate event.
- Consider an insert to the San Jose business Times.
- Webinar with a team of experts or on specific areas ie Kate McEnroe on workforce

**ON-CALL ECONOMIC DEVELOPMENT SERVICES NOT TO EXCEED \$50,000.00
including travel expenses.**



ADMINISTRATIVE REPORT

Agenda Item H.12.

Meeting Date: 7/15/2019

Report Prepared by: Jennifer Arellano, Recreation Supervisor, Parks and Recreation

SUBJECT: Authorization to Accept and Appropriate a Donation of Two Thousand Five Hundred Dollars (\$2,500.00) from the Merced School Employees Federal Credit Union to be Used to Purchase Supplies and Offer Stipends for the Summer at City Hall Program

REPORT IN BRIEF

Considers accepting and appropriating a donation of two thousand five hundred dollars (\$2,500.00) from the Merced School Employees Federal Credit Union to offset the costs of the Summer at City Hall Program.

RECOMMENDATION

City Council - Adopt a motion:

- A. Accepting and increasing revenue to account 024-1218-360.02-00 in the amount of two thousand five hundred dollars (\$2,500.00) for the donation from the Merced School Employees Federal Credit Union for use in the Summer at City Hall Program; and,
- B. Appropriating one thousand eight hundred (\$1,800) to account #024-1218-542.17-00 for students stipends and seven hundred (\$700) to account #024-1218-542.29-00 to purchase supplies for the Summer at City Hall Program.

ALTERNATIVES

1. Approve, as recommended by staff; or,
2. Deny; or,
3. Refer to staff for reconsideration of specific items; or,
4. Continue to a future meeting (date and time to be specified in the motion).

AUTHORITY

Charter of the City of Merced, Section 200.

DISCUSSION

The Parks and Recreation Department has received a donation from the Merced School Employees Federal Credit Union for the Summer at City Hall Program for incoming Freshman through incoming Seniors. This is a two-week long, hands-on, interactive program for students to learn about the inner workings of government through field trips, lectures and demonstrations from various City

departments and few outside agencies. The students will receive a \$100 stipend for successful completion of the program. The Merced School Employees Federal Credit Union has donated \$2,500 to cover the student stipends and various other expenses incurred for supplies.

IMPACT ON CITY RESOURCES

None.



ADMINISTRATIVE REPORT

Agenda Item I.1.

Meeting Date: 7/15/2019

Report Prepared by: Michael Hren, Principal Planner, Development Services Department

SUBJECT: Approval of Environmental Review #19-17 - Statutory Exemption for Feasibility and Planning Studies Pursuant to CEQA Guideline Section 15162 and Adoption of Resolution to Approve the City of Merced Active Transportation and Safe-Routes-to-School Plan

REPORT IN BRIEF

Considers approving environmental review #19-17 and adopting a resolution to approve the Active Transportation and Safe-Routes-to-School Plan.

RECOMMENDATION

City Council - Adopt a motion approving Environmental Review #19-17 - Statutory Exemption for Feasibility and Planning Studies Pursuant to CEQA Guideline Section 15162 and adopting **Resolution 2019-40**, a Resolution of the City Council of the City of Merced, California, adopting the City of Merced Active Transportation and Safe-Routes-to-School Plan.

ALTERNATIVES

1. Adopt the Plan, as recommended by the Bicycle Advisory Commission and staff; or,
2. Adopt the Plan, subject to modification by City Council (identify specific items to be amended in the motion); or,
3. Deny; or,
4. Refer to staff for reconsideration of specific items (to be addressed in the motion); or,
5. Continue to a future City Council meeting (date and time to be specified in the motion).

AUTHORITY

City of Merced Charter, Section 200.

CITY COUNCIL PRIORITIES

Fiscal Year 2019/2020 Council Goals and Priorities, Item 4: Local Streets mentions "Sidewalks," "Safe Routes to School," and "Traffic/Pedestrian Safety."

DISCUSSION

Overview

The City of Merced's Active Transportation and Safe-Routes-to-School Plan (ATP) outlines the goals for active transportation in Merced, and provides recommendations for how to make that vision into reality. The ATP envisions a safe, enjoyable, and interconnected network of facilities serving residents and visitors alike, while allowing users of all modes of transportation equitable access to

clean, well-maintained, and well-designed facilities. The ATP has a number of goals, some of the most important are:

- Improve the safety and perceived safety of using active transportation in Merced
- Increase active transportation trips in Merced
- Improve the connectivity of the active transportation network in Merced
- Promote a data-driven approach to maintaining existing active transportation facilities and creating new ones in Merced

To achieve these goals, the ATP recommends a comprehensive network of citywide bikeways, trails, and sidewalks that connect all parts of the City of Merced. Since this process will take many years to complete, the ATP identifies priority projects based on a set of criteria derived with the help of the public. This ensures that the most important links and nodes in the Merced active transportation network are clearly identified and that agencies are able to advocate for funding, design, and construction of the most critical pieces of infrastructure when the opportunities to do so arise.

The Plan provides an intensive examination of existing conditions, hazards, future needs, best practices from around the country, and other data points serve as the background and support for the recommendations made. The Plan prioritized the bicycle and pedestrian project lists with both the input of the public and technical expertise to ensure that high-scoring projects are those that both align with community priorities and are likely to be competitive for future funding. For example, based upon the community input, safety of active transportation near schools was noted as a major priority for projects; proximity to schools is therefore the criteria with the most possible points that could be given in the prioritization rubric.

Need for the Plan

The *Merced Vision 2030 General Plan* and the 2013 Bicycle Transportation Plan (BTP) serve as the foundational documents and building blocks for the ATP. As pertaining to funding opportunities from the State of California, many of the evaluation criteria are likely to score more strongly with a comprehensive ATP rather than a stand-alone bike or pedestrian plan, therefore improving the chances for higher scores and increasing the likelihood of project funding. Examples of these criteria include: increase in walking and bicycling including students, crash reduction for bicyclists and pedestrians, and robust public outreach.

Public Involvement

The ATP has been developed with extensive assistance from the public. The Citizens Focus Group has met, both separately and in conjunction with the Technical Advisory Committee, six times since the Kick-Off meeting for the project in December 2016. The City has also hosted a Community Pedestrian and Bicycle Safety Workshop, outreach at local events such as the Street Faire in July 2017, and Public Workshops to gather information and feedback. Public Workshops were designed to meet the public in their community, and the most successful of these was the November 30, 2017, Workshop held at Tenaya Middle School in South Merced. This event was held primarily in Spanish, with English and Hmong interpretation available as well. The ATP has also been a frequent topic at public meetings of the City's Bicycle Advisory Commission. The Commission has been regularly updated on the progress of the ATP, and has been a part of two formal presentations from the team putting together the Plan, voting 4-0 at its April 23, 2019 meeting to endorse the draft ATP and

recommend it to the City Council.

Organization of the Plan

The Plan, seen at Attachment 1, is organized into eleven sections, along with six appendices.

- Foundations of the Active Transportation Plan
- Existing Active Transportation Users: The Count
- Existing Facilities
- Hazards
- Solutions
- Implementation
- Low-Cost Improvements and Safety Countermeasures
- Infrastructure Projects
- Programs
- Policies
- Public Participation and Community Engagement
- Appendix A: Bicyclist Count Data
- Appendix B: Pedestrian Count Data
- Appendix C: Bicycle Prioritized Projects Table
- Appendix D: Pedestrian Prioritized Projects Table
- Appendix E: Existing Programs
- Appendix F: Public Participation Documents

Proposed Projects/Programs

The ATP proposes 50 pedestrian improvements or studies throughout Merced; these recommendations vary between specific spot improvements to corridor-wide changes. The total recommended cost is \$11.7 million. This includes:

- \$9.4 million in construction costs
 - \$1.3 million of sidewalk construction, approximately 7,500 linear feet
 - \$6.5 million for two projects including about 3 miles of pedestrian-scale lighting
 - \$1.6 million of other improvements including 28 pedestrian spot improvements
- \$2.3 million in pedestrian studies: accessibility, corridor, intersection, crossing

The ATP is also proposing 90.4 miles of both enhanced and new bikeways throughout Merced. In total, these bikeways have a total estimated construction cost of \$14,122,000. This includes:

- \$9.4 million for Class I off-street bike path facilities
- \$4.7 million for Merced's on-street network
- 9.7 miles of bicycle boulevards
- 4.2 miles of separated bikeways

In all, the total estimated costs of the infrastructure recommendations is \$25.8 million. These

construction estimates do not include the costs of engineering, design, right-of-way acquisition, or labor. Staff will work to develop an implementation plan that integrates these recommended projects into the annual SB 1 and Measure V priority lists for Council approval on an annual basis.

The ATP also includes recommendations for updates to City of Merced policies and implementation of programs that would benefit the travelling public, particularly as they relate to active transportation users. Examples of policy recommendations from the Plan include an update to the City's bicycle parking requirements and performing a study on the needs of the City as it relates to electric scooter and bicycle rentals. Examples of program recommendations include a bicycle-related ticket diversion class and the evolution of the City's Bicycle Advisory Commission to cover all active transportation-related matters holistically, concurrently, and comprehensively.

Staff is recommending that the City Council adopt the Resolution approving the Active Transportation Plan as recommended by the Bicycle Advisory Committee.

IMPACT ON CITY RESOURCES

No appropriation of funds is needed at this time. The City was awarded a grant of \$135,000 through the State's Active Transportation Program during Cycle II of the program to assist with creating the plan, the reimbursement for which expires later in 2019. Implementation of the Plan and its proposed projects will be programed through the use of SB 1 and Measure V funding.

ATTACHMENTS

1. Active Transportation and Safe-Routes-to-School Plan
2. Resolution Adopting ATP
3. Environmental Review #19-17
4. Presentation for City Council



City of Merced Active Transportation and Safe-Routes-to-School Plan

*Recommended for Adoption by the Merced Bicycle Advisory Commission
on April 23, 2019*

*Adopted by the Merced City Council
on July 15, 2019*

Prepared by
**The City of Merced Development Services Department, Planning Division
and
Alta Planning and Design**

Under the Direction of
**Steve Carrigan, City Manager
Scott McBride, Director of Development Services
Kim Espinosa, Planning Manager**

Plan Prepared by
**Michael Hren, Principal Planner
Kendra Ramsey, Alta Planning and Design**

With the Assistance of
**Taylor Gates, Administrative Assistant I
Emily Tracy, Alta Planning and Design
Brett Hondorp, Alta Planning and Design**

In Cooperation with
**Merced City Council
Merced City Bicycle Advisory Commission
Merced Active Transportation and Safe-Routes-to-School Technical Advisory Committee
Merced Active Transportation and Safe-Routes-to-School Citizens' Focus Group**

Executive Summary

The City of Merced's *Active Transportation and Safe-Routes-to-School Plan* (ATP) outlines the goals for active transportation in Merced, and provides recommendations for how to make that vision into reality. The ATP envisions a safe, enjoyable, and interconnected network of facilities serving residents and visitors alike, while allowing users of all modes of transportation equitable access to clean, well-maintained, and sensibly designed facilities. The ATP has a number of goals, some of the most important are:

- Improve the safety and perceived safety of using active transportation in Merced
- Increase active transportation trips in Merced
- Improve the connectivity of the active transportation network in Merced
- Promote a data-driven approach to maintaining existing active transportation facilities and creating new ones in Merced

To achieve these goals, the ATP recommends a comprehensive network of citywide bikeways, trails, and sidewalks that connect all parts of the City of Merced. Since this process will take many years to complete, the ATP identifies priority projects based on a set of criteria derived with the help of the public. This ensures that the most important links and nodes in the Merced active transportation network are clearly identified and that agencies are able to advocate for funding, design, and construction of the most critical pieces of infrastructure when the opportunities to do so arise.

This ATP is proposing 50 pedestrian improvements or studies throughout Merced; these recommendations vary between specific spot improvements to corridor-wide change, totaling an estimated \$11.7 million in costs^a. This includes:

- \$9.4 million in construction costs
 - \$1.3 million of sidewalk construction, approximately 7,500 linear feet
 - \$6.5 million for two projects including 3 miles of pedestrian-scale lighting
 - \$1.6 million of other improvements including 28 pedestrian spot improvements
- \$2.3 million in pedestrian studies: accessibility, corridor, intersection, crossing

This ATP is also proposing 90.4 miles of both enhanced and new bikeways throughout Merced. In total, these bikeways have a total estimated construction cost of \$14,131,000^a. This includes:

- \$9.4 million for Class I off-street bike path facilities
- \$4.7 million for Merced's on-street network
- 9.7 miles of bicycle boulevards
- 4.2 miles of separated bikeways

In all, the total estimated costs of the infrastructure recommendations is \$25.8 million^a. If the City were to implement this entire list of recommendations over the course of the next 20 years, it would cost \$1,290,000 per year to accomplish this.

a: Estimated costs do not include engineering, design, right-of-way acquisition, labor, or other non-construction costs.

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***Section 1:
Foundations of the Active Transportation and
Safe-Routes-to-School Plan***



Foundations of the Active Transportation and Safe-Routes-to-School Plan

The City of Merced's *Active Transportation and Safe-Routes-to-School Plan* (hereinafter referred to as the "ATP" the "Plan") outlines the goals for active transportation in the City of Merced, and provides recommendations for how to make that vision into reality. Per the California Department of Transportation (Caltrans) Division of Local Assistance, the administering agency for statewide Active Transportation Program efforts, the purpose of the ATP is to encourage increased use of active modes of transportation by achieving the following goals:

- Increase the proportion of trips accomplished by biking and walking
- Increase safety and mobility for non-motorized users
- Advance the efforts of regional agencies to achieve greenhouse gas (GHG) reduction goals
- Enhance public health
- Ensure that disadvantaged communities fully share in the benefits of the program
- Provide a broad spectrum of projects to benefit many types of active transportation users

Figure 2 details the ATP Purpose and Goals as defined by California Senate Bill (SB) 99.

The City of Merced has also outlined specific goals for its local ATP, including:

- Improve the safety, perceived and actual, of using active transportation in Merced
- Increase active transportation trips in Merced
- Improve the connectivity of the active transportation network in Merced
- Promote a data-driven approach to maintaining existing active transportation facilities and creating new ones in Merced

Figure 1: University of California, Merced Bike Path



Figure 2: ATP Purpose and Goals flowchart

ATP Purpose and Goals

As defined by SB99

There is hereby established the Active Transportation Program in the department for the purpose of encouraging increased use of active modes of transportation, such as biking and walking. It is the intent of the Legislature that the program achieve all of the following goals: (a) - (f)

(f) Provide a broad spectrum of projects to benefit many types of active transportation users.

Infrastructure Projects

SRTS; that improve safety of children

Safe Routes to Transit

Bikeways & Walkways:
- New
- Improved
- Hazard elimination
- Maintenance

Traffic Control devices:
- *New Ped Signals, RRFBS, Protected LT movements, Road Diets, etc.*

Secure Bike Parking

Bike Carrying; In connection with Transit

Rec Trails/Trailheads, Park linkages to corridors, & rails-to-trails

Non-Infrastructure Projects

Educational Programs & other NI that demonstrate effectiveness in increasing active transportation

SRTS Projects: in accordance with Section 1404 of Public Law 109-59.

Plans *

ATP

Bike

Ped

SRTS

increased use of active modes of transportation

(a) Increase the proportion of trips accomplished by biking and walking.

(b) Increase safety and mobility for nonmotorized users.

(c) Advance the active transportation efforts of regional agencies to achieve greenhouse gas reduction goals as established pursuant to Senate Bill 375 (Chapter 728, Statutes of 2008) and Senate Bill 391 (Chapter 585, Statutes of 2009).

(d) Enhance public health, including reduction of childhood obesity through the use of programs including, but not limited to, projects eligible for Safe Routes to School Program funding.

(e) Ensure that disadvantaged communities fully share in the benefits of the program.

* "Plans" are not specifically listed as one of the project types.

Strong transportation networks are multimodal, allowing for all modes of travel including walking, bicycling, and transit to be used to reach key destinations in a community and region safely and directly. Jurisdictions can use “Complete Streets” design to construct networks of safe streets that are accessible to all modes and all users, no matter their age or ability.

The California Complete Streets Act (AB 1358) gives direction to local governments to address “Complete Streets” in their general plans. The Act states: “transportation planners must find innovative ways to reduce vehicle miles traveled (VMT) and to shift from short trips in the automobile to biking, walking, and use of public transit.” Table A below shows existing “Complete Streets” policies already in place in the City’s Merced Vision 2030 General Plan.

Table A: City of Merced “Complete Streets” Policies

COMPLETE-STREETS RELATED	
Policy T-1.1	Design streets consistent with circulation function, affected land uses, and all modes of transportation
Policy L-3.1	Create land use patterns that will encourage people to walk, bicycle, or use public transit for an increased number of their daily trips.
Policy UD-1.2	Distribute and design urban villages to promote convenient vehicular, pedestrian, and transit access.
Policy UD-1.1	Apply transit-ready development or urban village design principles to new development in the City’s new growth areas.
Policy L-3.3	Promote site designs that encourage walking, cycling, and transit use.
TRANSIT-RELATED	
Policy T-2.1	Provide for and maintain a major transit way along M Street and possibly along the Bellevue Road/Merced-Atwater Expressway and Campus Parkway corridors.
Policy T-2.2	Support and enhance the use of public transit.
Policy T-2.3	Support a safe and effective public transit system.
BIKE-RELATED	
Policy T-2.4	Encourage the use of bicycles.
Policy T-2.5	Provide convenient bicycle support facilities to encourage bicycle use.
Policy T-2.6	Maintain and expand the community’s existing bicycle circulation system.
Policy OS-3.2	Maintain and expand the City’s bikeway and trail system.
PEDESTRIAN-RELATED	
Policy T-2.7	Maintain a pedestrian-friendly environment.
Policy T-2.8	Improve planning for pedestrians.

The Merced Vision 2030 General Plan and 2013 Bicycle Transportation Plan (BTP) serve as the foundational documents and building blocks for this ATP. The ideals, data, research, information, and guidance from those documents were incorporated into, drawn on, and directly influential in the process of the creation of the ATP. In summary, the City's General Plan envisions that all streets should be designed as "Complete Streets" which address all modes of motorized and non-motorized transportation, including vehicles, transit, pedestrians, and bicycles. These goals and policies, together with the goals and policies of the BTP, formed the foundation upon which to design, build, and construct active transportation facilities in the City of Merced.

Why Build Active Transportation Infrastructure?

Planning for an expanded active transportation system benefits the entire community: those who choose to walk or bicycle for transportation and recreation, those who are unable to drive or do not have access to a vehicle, and those who drive. A well-connected system of paths, bicycle lanes, sidewalks, and Safe-Routes-to-School enables freedom of safe, low-stress transportation choice, and can reduce traffic congestion as well.

There are a wide variety of pedestrian and bicycle infrastructure improvements that can increase safety and comfort for all roadway users. These improvements range from relatively low-cost items like striping and signage to more expensive improvements like pedestrian-scale lighting and sidewalk construction; with each type also having maintenance costs in addition to the initial capital costs. Improving the active transportation network within a city provides a variety of benefits for all residents and visitors, regardless of their preferred mode of travel.

Benefits of Active Transportation

Active transportation improvements provide a variety of transportation, health, economic, environmental, and social benefits for all residents and roadway users, not just pedestrians and bicyclists. While these benefits may not have an easily defined monetary value, they have strong positive impacts on communities.

Safety

Conflicts between bicyclists, pedestrians, and motorists can result from ineffective or inefficient roadway design, as well as poor driving, riding, or walking behavior. When infrastructure is designed to accommodate all users, these conflicts can be reduced, and safety can increase for all users. Designated bicycle facilities and enhanced pedestrian facilities and crossings reduce the risk of collisions and injuries compared to roadways without these facilities.

Designing infrastructure for all road users can help to increase the predictability of movements, make vulnerable roadway users like bicyclists and pedestrians more visible to drivers, slow vehicle speeds, and encourage a more deliberate and attentive use of the roadway system.¹ Building enhanced pedestrian and bicycle infrastructure improves perception of safety,

When bicycling and walking rates double, per-mile pedestrian-motorist collision risk can decrease by as much as 34%.

which can lead to additional use of these facilities. These results are attainable by designing facilities for people of all ages and abilities. Creating the documented “safety in numbers” effect of active transportation is vital to making multimodal travel more predictable and visible to all. One study found that when bicycling and walking rates double, per-mile pedestrian-motorist collision risk can decrease by as much as 34%.²

Additionally, improving bicycle and pedestrian facilities around schools can directly improve the safety of children, who are some of the most vulnerable roadway users. Enhanced infrastructure can encourage more students and families to walk and bicycle to schools, which also eases pressure off the roadway network during pick-up and drop-off periods, reducing congestion. Most importantly, instituting specific changes for school travel improves the safety of children walking and biking to school.

Reducing collisions reduces injuries, which has both economic and health benefits. By reducing collisions and injuries, healthcare costs and the opportunity cost of missing work due to collision-related injury or disability are diminished. Additionally, a calmer, less stressful transportation environment is created, which encourages more people to use active transportation modes.

Public Health

Physical inactivity is now widely understood to play a significant role in the most common chronic diseases in the United States: heart disease, stroke, diabetes, and obesity-related illnesses. In fact, a 2004 study published in the American Journal of Preventive Medicine reported that for each extra 60 minutes spent in a car daily, there was a six percent increase in the chances of being obese.³ Creating a built environment that encourages bicycling and walking is a key component of fighting obesity and inactivity, which has been shown to have substantial impacts with relatively limited public investment.

1 Ewing, R. and Dumbaugh, E. (2010). The Built Environment and Traffic Safety: A Review of Empirical Evidence. *Injury Prevention* 16: 211-212.

2 Jacobson, P. (2003). Safety in Numbers: More Walkers and Bicyclists, Safer Walking and Bicycling. *Injury Prevention* 9: 205-209.

3 Frank, L. (2004). Obesity relationships with community design, physical activity, and time spent in cars. *American Journal of Preventive Medicine* 27-2:87-96.

A growing number of studies show that the design of our communities—including neighborhoods, towns, transportation systems, parks, trails, and other public recreational facilities—affects people’s ability to reach recommended physical activity goals. The Centers for Disease Control and Prevention determined that creating and improving places to be active could result in a 25 percent increase in the number of people who exercise at least three times per week. This is significant, as even a small increase in physical activity can bring measurable health benefits.⁴

As walking and bicycling are both healthy and relatively low-cost forms of transportation, they can provide good opportunities for healthy exercise. When coupled with safe, low-stress facilities, walking and bicycling can become a practical and realistic means of transportation that can improve both physical and mental health. Improvements in public health also reduce the burden of healthcare costs on individuals and households, which allows more income to be spent on other necessities.

Equity

Walking and bicycling are relatively inexpensive and broadly accessible forms of transportation. The average annual operating cost of a bicycle is much lower than that of a car, and the monetary barriers to entry for bicycling and walking are much lower than driving. Walking and bicycling are affordable means of transportation for individuals and households with lower incomes, who disproportionately are people of color. Improving active transportation infrastructure also has many benefits for one-car or zero-car households, as they typically rely much more on both active transportation and transit. Additionally, improving the first and last miles from home to transit can make active modes a safer and more viable option for these households. Active transportation can give these households more travel options, increasing physical mobility, increasing the ability to travel to work, school, and other daily activities.

Improvements to bicycle and pedestrian infrastructure also benefit the most vulnerable roadway users, children and seniors.

Improvements to bicycle and pedestrian infrastructure also benefit the most vulnerable roadway users, youth and seniors who walk and bicycle. These users tend to walk slower, perceive the speed and distance of oncoming vehicles differently, and may need assistance traveling. These improvements increase visibility, shorten crossing distances, increase separation between modes and provide many other benefits.

⁴ U.S. Department of Health and Human Services, Centers for Disease Control and Prevention. (2002). Guide to Community Preventive Services.

Transportation

Nationwide, a high number of single-occupant vehicle trips are less than two miles in length, especially when commute trips are excluded. By taking these short trips on a bicycle or by foot, rather than in a car, residents can help reduce local traffic and congestion.

Active transportation improvements can also speed up and enhance access to transit services. Closing the first/last-mile gap is an important step in enhancing access to transit, which benefits all active transportation and roadway users. Reducing congestion is also a notable goal, as traffic reduces mobility, increases automobile operating costs, increases air pollution, and can cause stress.

Quality of Life

Many factors go into determining quality of life; commonly cited items include the local education system, prevalence of employment opportunities, and affordability of housing. In recent years, access to both quality transit service and an active transportation network (trails, greenways, bikeways, etc.) have become increasingly important for many people when determining their overall satisfaction with their community.

Creating conditions where bicycling and walking is accepted and encouraged increases a community's livability from a number of different perspectives. The design, land use patterns, and transportation systems that comprise the built environment have a deep impact on travel behavior and the feel of a community. These conditions can determine whether the perception of a community is friendly and human-scale, or monolithic, cold, or void of activity as some areas designed primarily for vehicles can be.

Building a robust, low-stress active transportation network also increases freedom of choice. For maximum effect, these active transportation improvements must be designed to serve an array of users of all ages and abilities. Low-stress facilities such as separated bike lanes, while more expensive than facilities such as shared travel lanes or standard bike lanes, provide a much greater return on investment for a community. More users will take advantage of low-stress facilities, generating the greatest change to the transportation network. This gives more people greater mobility options, particularly those who do not or choose not to drive, ultimately increasing access to destinations throughout the area. Other residents may also want to spend less on transportation, feel safer on their community's streets, and/or feel confident and comfortable allowing their children to walk or bike to school, the park, or a friend's house.

Economic

Active transportation makes economic sense. Benefits include decreased family transportation costs,⁵ lower health care costs,⁶ higher property values,⁷ and more jobs created by way of new capital and infrastructure projects.⁸ In fact, some studies have even shown that bicycle and walking construction projects create more jobs per million dollars spent than roadway projects alone.⁹

In addition to those more explicit economic benefits, improved quality of life tends to attract more diverse and creative population, which can generate higher economic growth for a city and region. Active transportation can also benefit downtowns and retail areas. As a slower mode of travel, active transportation allows users to observe and take in their surroundings more than driving or being an automobile passenger. This increases the likelihood of users stopping at local stores to shop, to spend money, and to bolster the economy.

Nationally, studies have shown that people prefer walkable communities.¹⁰ Bicycling and walking facilities often improve property values; Americans say that having pedestrian and bicycle facilities in their community is important to them, and two thirds of homebuyers consider the walkability of an area in their purchase decision.¹¹ This is further proven by homes in walkable neighborhoods having property values that are higher than houses in areas with only average walkability.¹²

On a community scale, bicycle infrastructure projects are generally far less expensive than automobile infrastructure. In terms of end-user costs, the annual operating costs for bicycle commuters are a fraction of those of automobile commuters, making bicycling and walking affordable options for a larger portion of households. The cost savings associated with bicycle travel expenses are also accompanied by potential savings in health care costs as described above.

5 AAA's "Your Driving Costs" Report (2013); League of American Bicyclists; Bureau of Transportation Statistics "Pocket Guide to Transportation" (2009); Metro Magazine, August (2014); Internal Revenue Service; "Quantifying the Benefits of Nonmotorized Transportation for Achieving Mobility Management Objectives".

6 Rous, Larissa, et al. "Cost Effectiveness of Community-Based Physical Activity Interventions". American Journal of Preventive Medicine, 2008; Pratt, Macera & Wang. Higher Direct Medical Costs Associated with Physical Inactivity, 2000; Chenoweth, D. The Economic Costs of Physical Inactivity, Obesity, and Overweight in California Adults: Health Care, Workers' Compensation, and Lost Productivity. Topline Report, 2005.

7 "Walking the Walk", CEOs for Cities, 2009; Lindsey, Greg, Seth Payton, Joyce Man, and John Ottensmann. (2003). Public Choices and Property Values: Evidence from Greenways in Indianapolis. The Center for Urban Policy and the Environment; "Valuing Bike Boulevards in Portland through Hedonic Regression", 2008.

8 Heidi Garrett-Peltier, Pedestrian and Bicycle Infrastructure: A National Study of Employment Impacts, Political Economy Research Institute University of Massachusetts, Amherst, 2011, 1.

9 Same as 8.

10 Racca, D.P. and Dhanju, A. (2006). Property Value/Desirability Effects of Bike Paths Adjacent to Residential Areas.

11 Bureau of Transportation Statistics. (2010). Transportation Statistics Annual Report.

12 Cortright, J. (2009). Walking the Walk: How Walkability Raises Housing Values in U.S. Cities. CEOs for Cities.

Environment

Replacing vehicular trips with bicycling and walking trips has a measurable impact on reducing greenhouse gases in the atmosphere that contribute to climate change. Fewer vehicle trips and vehicle miles traveled (VMT) lead to fewer mobile source pollutants released into the air, such as carbon dioxide, nitrogen oxides, and hydrocarbons. Improving access to transit can also produce environmental benefits. Reducing vehicle use can also reduce other impacts such as noise, vibrations, and other vehicle discharges (oil, gas, and other fluids) that can end up in local waterways. Encouraging more schoolchildren to use active transportation modes can result in reduced congestion around pick-up and drop-off times, eliminating idling vehicles and the emissions that they produce.

Schools

Schoolchildren are key users of active transportation in any community. Planning for their ability to get to and from school and other destinations safely is a critical component of this Plan. Because of this, the Plan attempts to holistically address schools numerous times throughout and does not limit their influence to a single chapter. Based on community feedback during the creation of the prioritization methodology for the bicycle and pedestrian infrastructure recommendations in this Plan, proximity to schools earned projects the greatest amount of points of any category. For more about the prioritization and projects, see “Infrastructure Projects” on page 112. This reinforces the City of Merced’s commitment to ensuring that the projects it undertakes are serving the areas that have the greatest need and that are utilized by some of the most vulnerable groups.

While the Plan references schools far too frequently for a full index to be valuable, schools are discussed in conjunction to bicycle parking on Page 40, relative to pedestrian facilities on Page 44, and high collision corridors for cyclists and pedestrians on Page 56 and Page 61, respectively. Schools also deeply factor into the conversation about Potential Programs recommended by this Plan, particularly Education-based Programs, beginning on Page 119.

School proximity earned projects up to 30 points, the largest amount any category could total, when prioritizing infrastructure projects for bicycles and pedestrians.

Development Patterns in Merced

To understand how to improve the active transportation infrastructure of Merced, it is helpful to describe how the City developed over the years. What follows is a brief synopsis of those development patterns. For a more exhaustive analysis of the City's history, consult the Merced Vision 2030 General Plan.

Early Development

Merced was incorporated as a sixth class Charter City on April 1, 1889; the new City consisted of 1,700 acres. With the opening of the Yosemite Highway (Highway 140) in 1926, 16th Street began to develop in response to increased automobile traffic. As a result, motels, restaurants, and automotive-related businesses were built. In the 1940's, significant residential growth occurred in Central and South Merced. Merced Airport and Atwater's Castle Air Field were established in 1942.

1960-2000

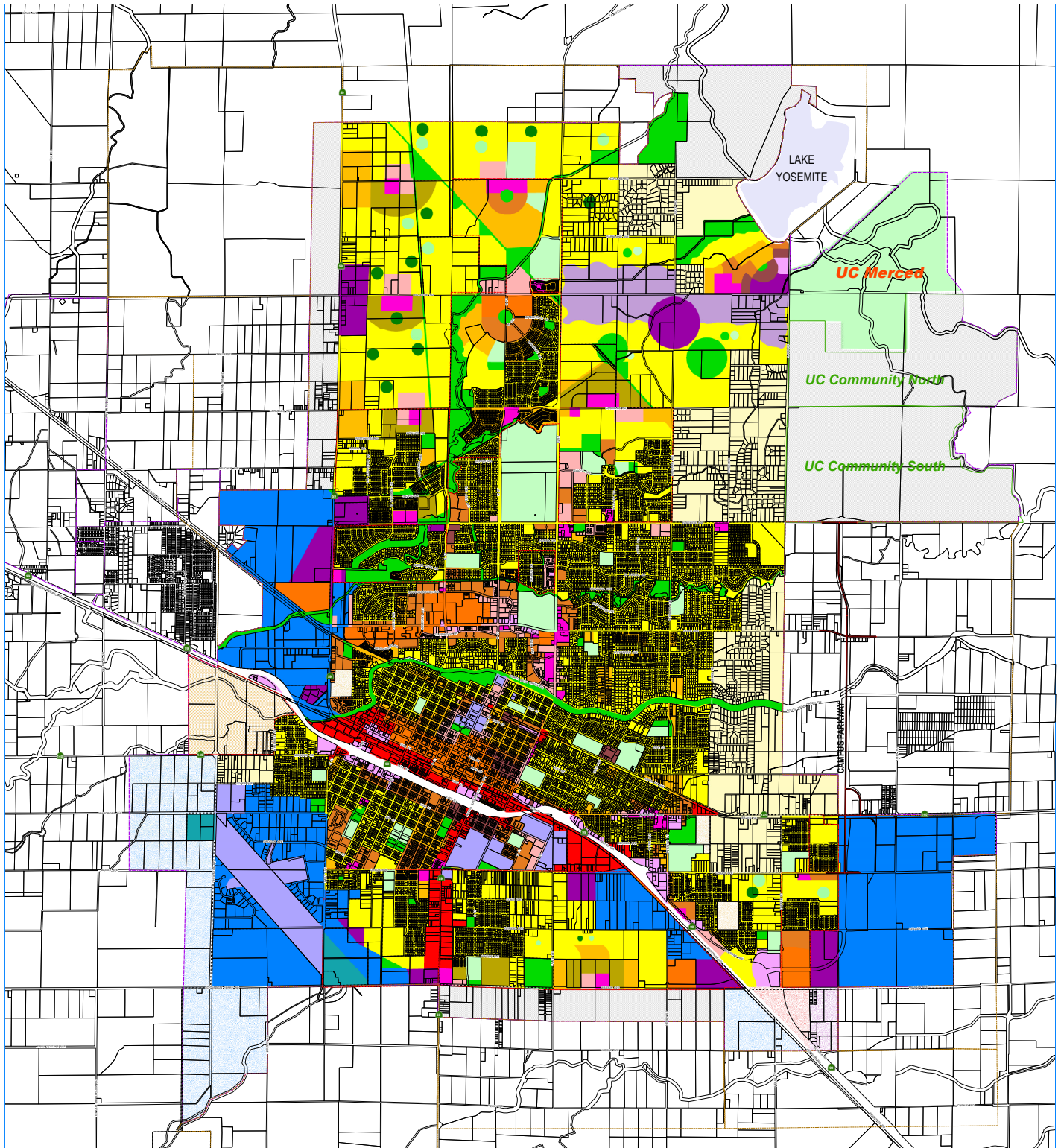
By 1960, the City's population had reached 20,000 and growth was beginning to boom in North Merced. Also in 1960, the elevated Highway 99 was constructed along 13th Street, effectively dividing South Merced from the downtown and creating three distinct subareas of Merced: North Merced, north of Bear Creek; Central Merced, between Bear Creek and Highway 99; and South Merced, south of Highway 99. The City adopted its first major general plan update in 1968, which signaled a change from the previous mainly east-west growth orientation along Highway 99/16th Street to the north-south growth pattern seen today.

Throughout the 1970s and 1980s, the City's Creekside Bicycle Path system developed and Merced continued to grow. In response to growth projections that anticipated a population of up to 250,000 people by 2030 (a fivefold increase), the City embarked on a 40-year growth study. As a result of this study, the City established a "village" growth pattern and directed growth to occur primarily to the north and northeast around Lake Yosemite. In 1995, Merced's population stood at 61,712, Castle Air Force Base closed, and Lake Yosemite was selected as the site for the next University of California campus.

2000-Modern Day

By 2000, Merced had 63,330 residents and 20,965 housing units and covered 20.94 square miles. In Fall 2005, the University of California (UC) Merced campus opened; also in 2005, the City's population increased to 73,610 and a record 1,427 single-family building permits were issued. Unfortunately, in 2009 the economic downturn and foreclosure crisis led to only nine such permits being issued. From 1997 to 2010, the City annexed over 3,800 acres of new residential, commercial, and industrial land, and the City now covered 23.1 square miles with a population of 80,865. In May 2010, the new Mercy Medical Center Merced opened in North Merced replacing the old hospital in South Merced.

Map I: City of Merced Land Use



CITY OF MERCED GENERAL PLAN



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- CITY LIMITS
- AREA OF INTEREST
- SUDP / SOI
- SPECIFIC PLAN
- UNIVERSITY COMMUNITY

- BUSINESS PARK
- BUSINESS PARK RESERVE
- THOROUGHFARE COMMERCIAL
- COMMERCIAL RESERVE
- GENERAL COMMERCIAL
- REGIONAL COMMUNITY COMMERCIAL
- NEIGHBORHOOD COMMERCIAL
- COMMERCIAL OFFICE

- SCHOOL
- FLOATING SCHOOL SITE
- PUBLIC / GENERAL USE
- MANUFACTURING INDUSTRIAL
- INDUSTRIAL RESERVE
- AGRICULTURAL
- OPEN SPACE / PARK RECREATION
- FLOATING PARK SITE

- VILLAGE RESIDENTIAL
- LOW DENSITY
- LOW TO MEDIUM DENSITY
- HIGH TO MEDIUM DENSITY
- HIGH DENSITY
- RURAL RESIDENTIAL
- MOBILE HOME PARK RESIDENTIAL
- RESIDENTIAL RESERVE

- MIXED USE
- COMMUNITY PLAN



2,000 0 2,000 4,000 Feet
August 21, 2015

Future Growth

Merced has a number of important physical growth constraints that will continue to limit the direction of future growth. These growth constraints include the following:

1) Growth is restricted around the Merced Regional Airport in the southwest corner of the City due to the noise and safety hazards associated with the flight path. Residential growth around the airport cannot easily be accommodated without jeopardizing both the developing area and the presence of the airport. Land around the airport is primarily proposed for industrial uses, which are not as sensitive to noise and safety hazards.

2) Growth is limited south of Mission Avenue due to flooding potential, a high water table, and highly productive agricultural soils. Access and provision of public services also limit the growth potential of this area. However, limited growth is proposed along the south side of Mission Avenue to take advantage of this important transportation corridor.

3) Growth is limited to the east of the City, south of Yosemite Avenue and north of Highway 140 due to the existence of prime agricultural soil as well as a lack of access and public services. Campus Parkway will travel through this area, adding to growth pressures.

4) Growth to the northwest was once limited by the noise and safety hazards posed by Castle Air Force Base's flight path. Now that the Castle Airport is repurposed for civilian uses, the approach zones for the airport are being reevaluated, which may create opportunities for additional residential development.

5) Growth to the northeast is limited for environmental reasons. The UC Merced campus and the proposed University Community sit on the southeast side of Lake Yosemite, and a planned community is proposed for the northwest side. Further development north of the Lake would be limited by sensitive habitat and wetland areas. Currently, the City has reached out to consultants to perform a study regarding growth to the northeast in response to a number of conversations with property owners about potential annexation, as well as an acknowledgement that the UC Merced Campus and the City of Merced need to grow together over the course of the next few decades.

For many years, the City has focused future growth predominantly to the north. The City's Merced Vision 2015 General Plan directed growth away from more environmentally-sensitive areas in the City's east and west areas and towards the lesser agricultural soils and grazing land to the north. However, new knowledge of sensitive habitats and species in this area will likely limit the ability of the City to grow any further in this direction. This focus on northward expansion has created some difficulty for active transportation users, particularly cyclists, in traveling between the three subareas of Merced. With limited facilities traversing such physical barriers as Highway 99 and Bear Creek, only certain pathways are available for active transportation.

Section 2:

Existing Active Transportation Users: The Count



Existing Active Transportation Users: The Count

The growth of the City of Merced, as described in the Development Patterns in Merced section, has also shaped the active transportation network. The current system is functioning but in need of buildout to complete existing gaps in order to reach more users and grow to serve the increasing population. This is especially important because a large number of the incoming residents and visitors are young, owing to UC Merced's expansion, and more likely to eschew the single-occupant vehicle in favor of active transportation modes.

In order to better understand the needs of the future of Merced's active transportation network, bicycle and pedestrian user counts were conducted to establish baseline active transportation data for key locations in the community. Below is the methodology for site selection and counting, along with a summary of findings.

Method

Counts were conducted manually by one trained and experienced observer at each location. Prior to the count period, observers positioned themselves near the appropriate intersections in a location with a clear vantage point of all approaches. Counts were conducted in 15 minute intervals for the two hour period. The one-hour span within those two hours with the highest count was selected as the "peak hour" for bicyclists and pedestrians separately.

Each bicyclist or pedestrian was recorded with a tally mark. Observers used judgment to record age across four approximate categories: Y – youth, under 14 years old; YA – young adult, 15-25 years old; M – middle ages, 25-50 years old; SS – senior, over 50 years old.

Observers also recorded trip purposes in two categories. Bicyclists and pedestrians were assumed to be "commuters" if they were carrying a work or school bag, or carrying groceries, shopping bags, or other cargo. All others were assumed to be walking or bicycling for recreational purposes.

Tallies were recorded in a table for each 15 minute period. An example is included below.

Table B: Example Count Tally Sheet

	<i>Commuter (Bags/Cargo of any kind)</i>				<i>Recreational (Not carrying anything)</i>			
<i>Mode</i>	Y (<14)	YA (15-25)	M (25-50)	SS (>50)	Y (<14)	YA (15-25)	M (25-50)	SS (>50)
Bicycle								
Pedestrian								

Location Selection

Count locations were selected based on a data-driven process informed by the National Bicycle and Pedestrian Documentation Project (NBPDP). Further information on NBPDP can be found at <http://bikepeddocumentation.org>. Based on the NBPDP approach, the scoring metrics in Table C: Count Location Scoring Metrics were identified to rank possible count locations.

Table C: Count Location Scoring Metrics

Criteria	Metric	Radius	Range	0 pts	1 pt	2 pts
Equity	Disadvantaged per CalEnviroScreen– Y or N	Intersect	NA	No	Yes	NA
Collisions	Number of collisions	¼ mile	0-34	0	1-9	>10
Schools	Number of schools	¼ mile	0-5	0	<1	NA
Transit	Number of transit stops	¼ mile	0-13	0	1-2	>2
Crossings	Number of crossings	¼ mile	0-69	0	1-15	>15
Sidewalks	Distance (miles) of sidewalks	¼ mile	0-10.7	0	1-5	>5
Parks	Number of parks	¼ mile	0-7	0	>1	NA
Bikeway	On a bikeway – Y or N	Intersect	NA	No	Yes	NA

These rankings were then used to conduct a spatial analysis of possible count locations in a data analysis tool, Geographic Information Systems (GIS). The site selection criteria based on this analysis are listed in Table D: Count Site Selection Criteria.

Table D: Count Site Selection Criteria

Site	Primary Selection	Secondary Selection	Tertiary Selection	Other Selection Criteria Met
A	Within ¼ mile of school	Within 25 ft of bikeway	≥15 crossings within ¼ mile ≥ 5 miles of sidewalk within ¼ mile	Sidewalks, Transit, Collisions, Equity
B	Intersects major commercial area	Within 25 ft of bikeway	≥15 crossings within ¼ mile ≥ 5 miles of sidewalk within ¼ mile	Transit, Collisions, Equity, Parks, Schools
C	Within 25 ft of shared use path	≥1 park within ¼ mile	≥10 collisions within ¼ mile	Transit, Bikeways, Sidewalks, Parks, Equity
D	Within 25 ft of shared use path	Within 25 feet of bike-way	≤10 collisions within ¼ mile	Bikeways
E	Major rural street	Within 25 ft of bikeway	≤15 crossings within ¼ mile ≥ 5 miles of sidewalk within ¼ mile	High collisions
F	Speed ≤25 mph	Not on bikeway	≥1 park within ¼ mile ≥1 school within ¼ mile	≥10 collisions within ¼ mile
G	Speed ≤25 mph	Not on bikeway	≥1 park within ¼ mile ≥1 school within ¼ mile	≤10 collisions within ¼ mile
H	Major rural street	Within 25 ft of bikeway	≤15 crossings within ¼ mile	Low collisions

From this analysis, 45 possible count locations were identified and presented to the City of Merced’s Bicycle Advisory Commission (BAC). The BAC provided additional comments to refine the count locations, including a desire for equitable coverage in north and south Merced and a focus on key arterials including M Street, G Street, and 18th Street.

Based on a combination of analysis results and BAC input, four locations for bicycle and pedestrian counts were selected:

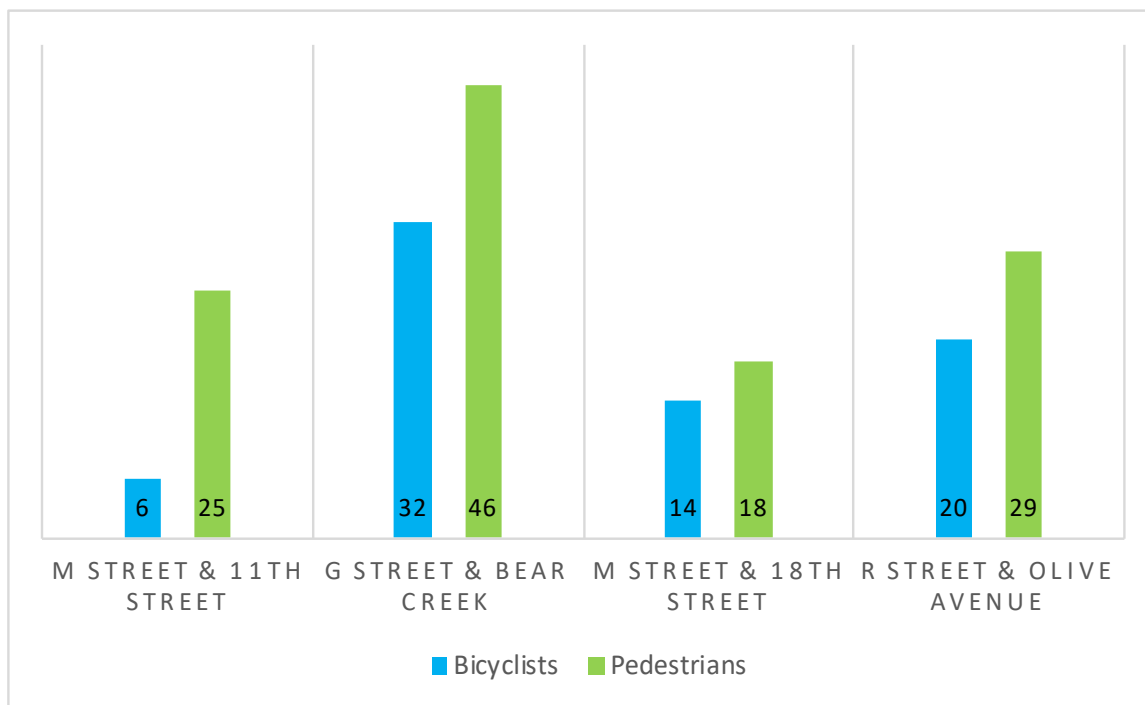
- ◆ 18th Street and M Street (downtown)
- ◆ 11th Street and M Street (South Merced)
- ◆ Bear Creek and G Street (gateway to downtown)
- ◆ R Street and Olive Avenue (North Merced)

Time & Date

Per the NBPDP recommendations, counts were conducted on Tuesday, September 19, 2018, during the morning commute from 7 a.m. to 9 a.m., and during the evening commute from 5 p.m. to 7 p.m. Weather was clear and sunny during each of the counts.

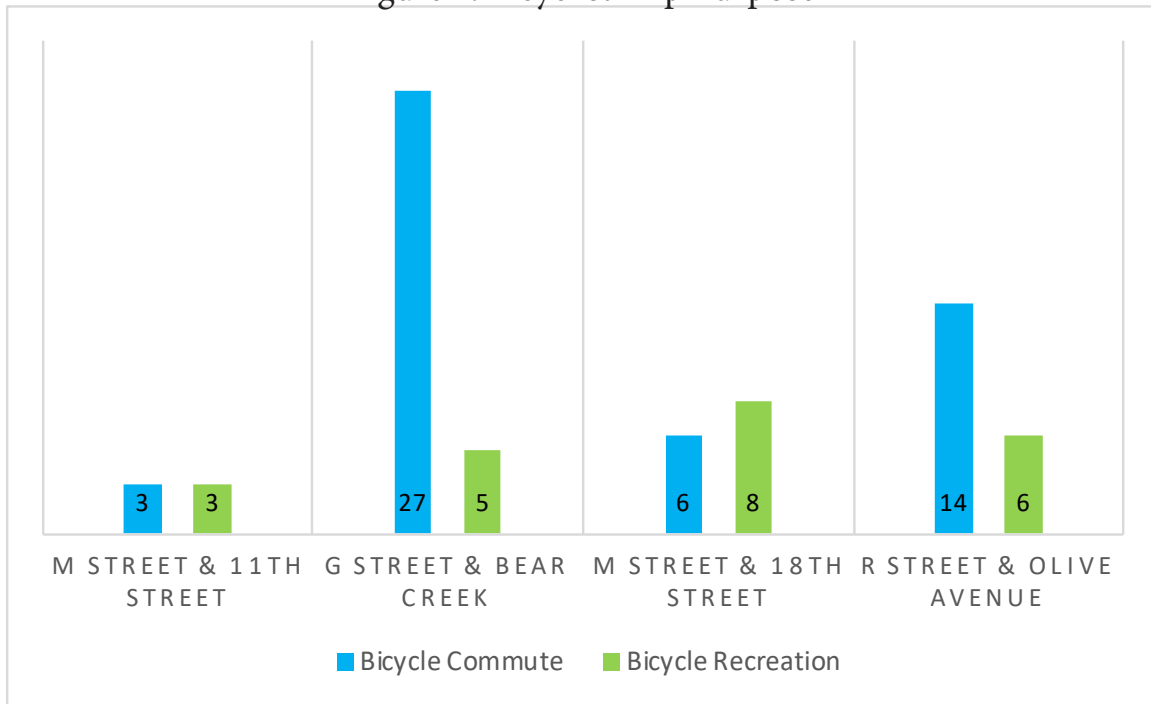
Findings

Figure 3: Active Transportation Users by Location



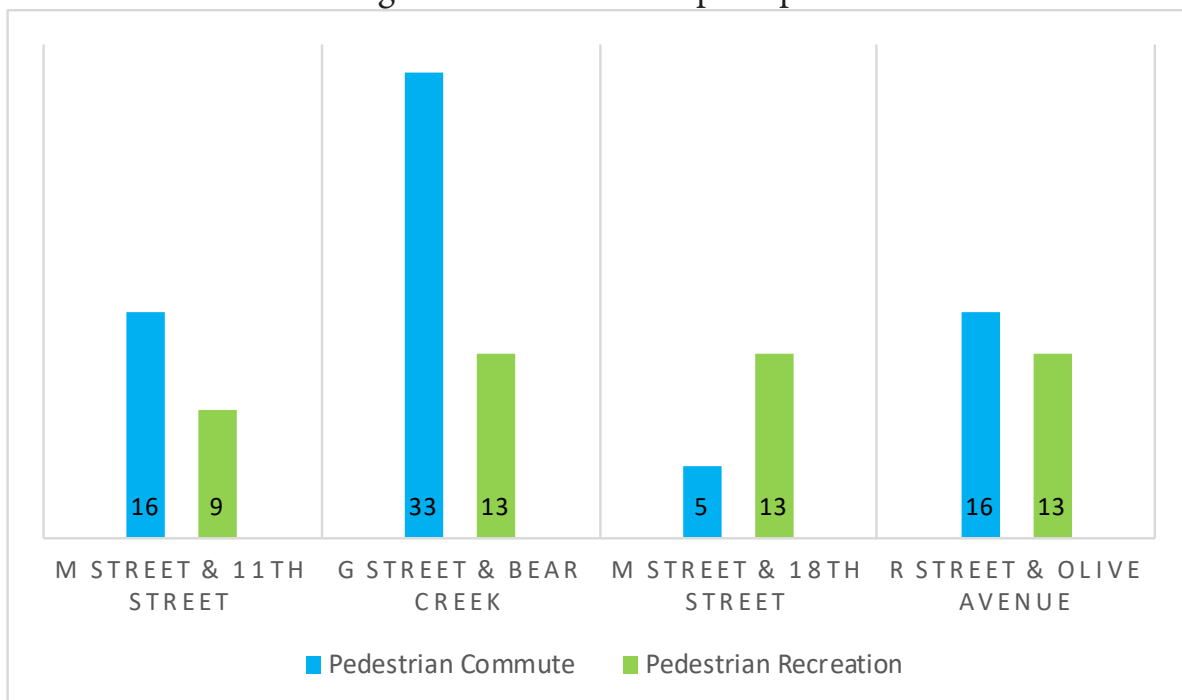
Across all four locations, more pedestrians than bicyclists were counted. G Street and Bear Creek had the highest peak hour counts for both, with 32 bicyclists and 46 pedestrians. M Street and 11th Street had the fewest bicyclists at 6, while M Street and 18th Street had the fewest pedestrians at 18.

Figure 4: Bicyclist Trip Purpose



Among bicyclists, 69 percent were assumed to be commuters and 31 percent were assumed to be recreational riders. G Street and Bear Creek had the highest number of commuters, at 27.

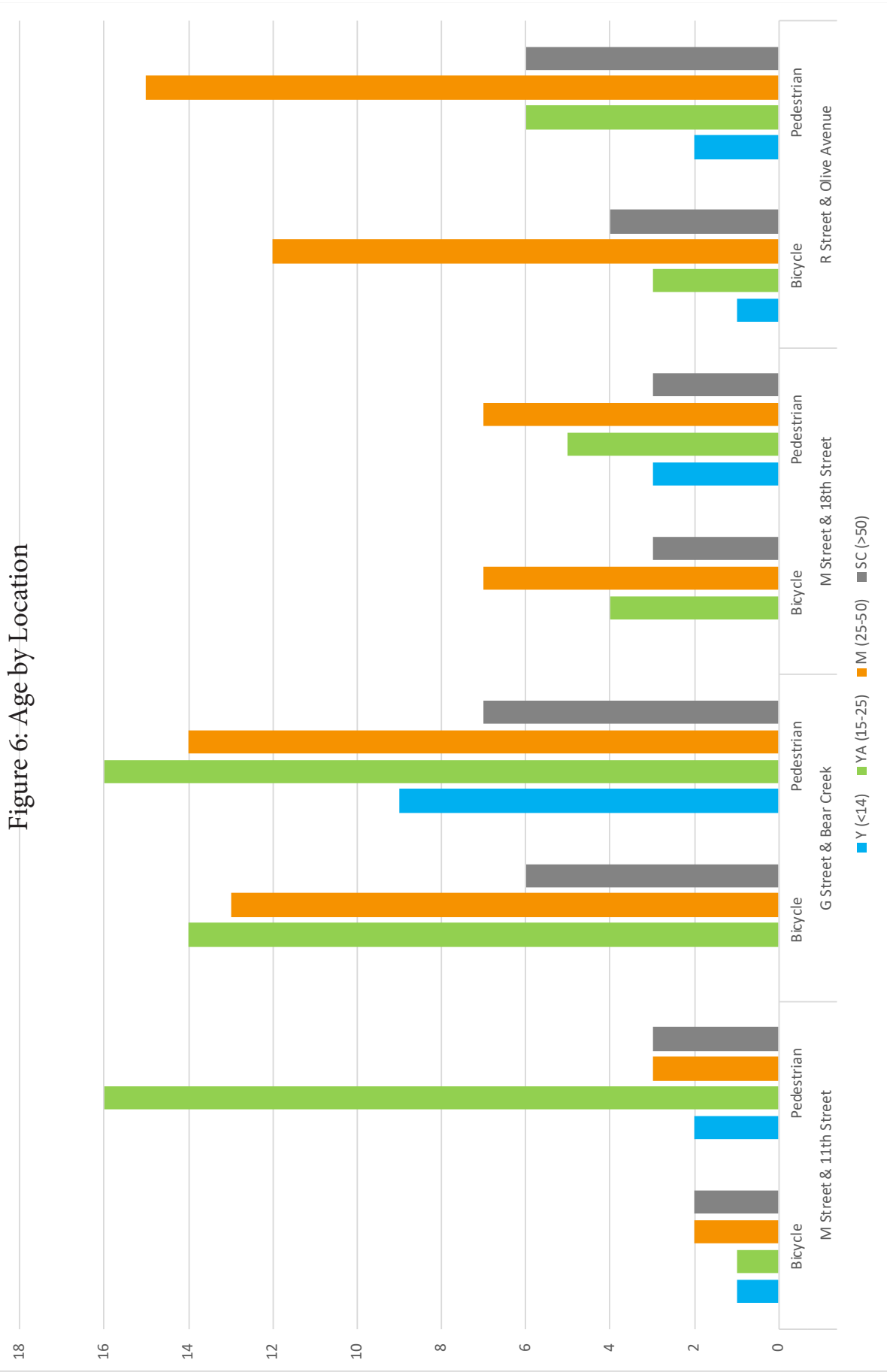
Figure 5: Pedestrian Trip Purpose



Among pedestrians, 59 percent were assumed to be commuters and 41 percent were assumed to be walking for recreation. M Street and 18th Street was the only location with more recreational pedestrians counted than commuters.

For explanations of how the assumptions of commuters versus recreational users were made, see “Method” on page 15.

Figure 6: Age by Location



M Street and 11th Street had a notably higher number of pedestrians aged 15-25 than any other age group. G Street and Bear Creek also had relatively high numbers of young adults both walking and bicycling. These count locations are near schools, which likely explains this activity. Higher numbers of both bicyclists and pedestrians aged 25-50 were counted at G Street and Bear Creek as well as R Street and Olive Avenue, suggesting these may be popular commuter routes as they provide access to downtown.

Mode Split Estimations

Using the count data described in “Findings” on page 17, the project team calculated approximations of daily, weekly, monthly, and annual trips for bicycle and pedestrian users for those locations. Table E shows these extrapolations. The City of Merced then compared this data to recent traffic study data that included vehicular counts. By comparing the peak hour data from each of these sources, the City estimates that active transportation has an approximate mode share of 1.2. Based on the creation of this Plan, the City of Merced estimates the active transportation mode share to increase to 1.4.¹³

Table E: Approximation of Active Transportation Users

	<i>M Street & 11th Street</i>	<i>G Street & Bear Creek</i>	<i>M Street & 18th Street</i>	<i>R Street & Olive Ave</i>
Peak Hour Count Total (Bicycle & Pedestrian)	31	78	32	49
Daily Approximation	543	1,365	560	858
Weekly Approximation	4,173	10,500	4,308	6,596
Monthly Approximation	17,903	45,045	18,480	28,298
Annual Approximation	162,750	409,500	168,000	257,250

Raw count data for bicyclists is shown at Appendix A, Bicyclist Count Data, on Page 158. Raw count data for pedestrians is shown at Appendix B, Pedestrian Count Data, on Page 159. Data is provided for each 15-minute count interval, with the peak hour highlighted.

¹³ Noreen C. McDonald, Ruth L. Steiner, Chanam Lee, Tori Rhoulac Smith, Xuemei Zhu & Yizhao Yang (2014) Impact of the Safe-Routes-to-School Program on Walking and Bicycling, Journal of the American Planning Association, 80:2, 153-167, DOI: 10.1080/01944363.2014.956654

Section 3:

Existing Facilities



Existing Facilities

Bicycle Facilities

Bicycle Facilities is a term for all types of bicycle-related improvements. Bicycle facilities fall into one of two broad categories: bikeways and bike support facilities. Bikeways generally consist of linear areas used for bicycle travel, whereas support facilities include items located along these paths such as bikeway undercrossings, drinking fountains, parking, signage, and lights.

Cyclists can use the middle of the lane, the same as a motor vehicle, on any roadway where no bike lane is present. This also applies if the bike lane is obstructed. In general, cyclists are not permitted to ride on freeways.

Bikeways

“Bikeway” is a generic term for any road, street, path, or way which in some manner is specifically designated for bicycle travel, regardless of whether such facilities are designated for the exclusive use of bicycles or are to be shared with other transportation modes. The Caltrans Highway Design Manual provides specific design criteria for the different types of bike facilities. Bikeways can be “off-road” or “on-road”.

Off-road, or Class I, bikeways are trails and dedicated paths that are available to bicyclists which offer significant separation from motorized vehicle traffic.

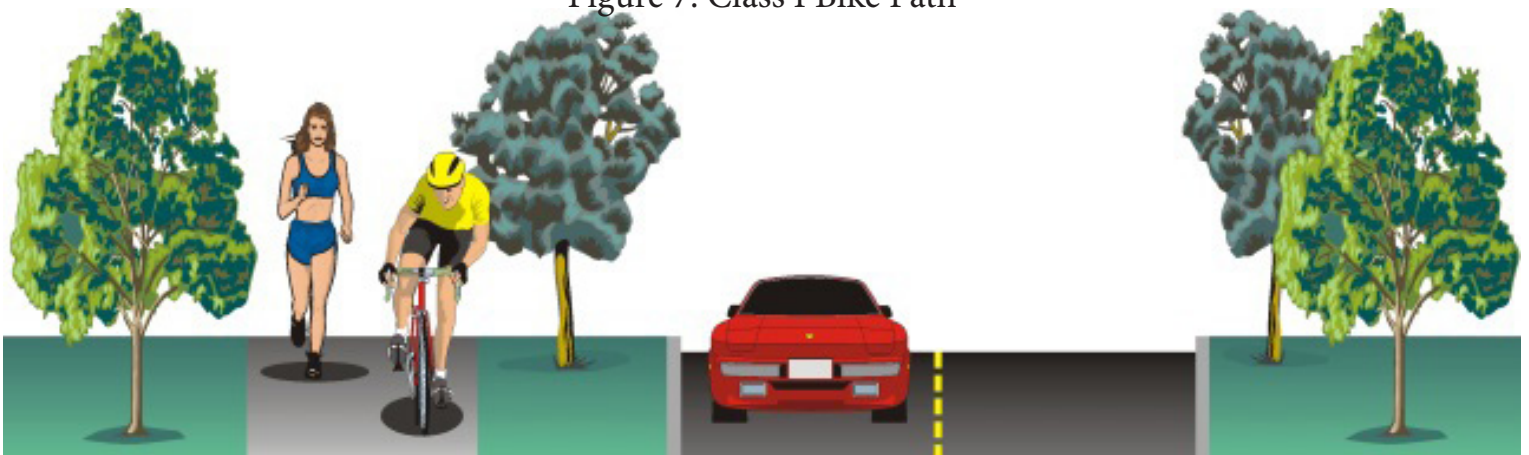
On-Road facilities consist of Class II, III, and IV bikeways, and are located within or immediately adjacent to motorized vehicle travel lanes or on-street parking areas. Bicyclists riding on a roadway are granted all of the rights and are subject to all of the responsibilities applicable to the driver of a vehicle, with certain exceptions.

It is helpful to have a common understanding of what each bikeway type is. For this purpose, a description of common types of bikeways is below.

Class I- Bike Path

A bike path, or Class I bikeway, is a separate off-road bikeway that runs within its own right-of-way and does not share a road or street right-of-way with motor vehicles.

Figure 7: Class I Bike Path



- ◆ Bike paths are intended for the exclusive use of bicyclists, although they can also be utilized by pedestrians.
- ◆ Bike paths are completely separated from motor vehicles by space or physical barrier, and have minimal cross-flow by motor vehicles (e.g. at driveways, roads and street intersections).
- ◆ Bike paths are primarily used for recreational purposes along open space corridors, though they may be used for bike-related commuting too.
- ◆ Bike paths tend to have relatively straight alignments that provide good visibility and smooth turns for cyclists.

Figure 8: Merced Class I Example



In many cases, an existing bike path or multi-use trail will not meet Caltrans design standards. For safety reasons and because most federal and state funding is geared towards transportation facilities, this plan recommends that Caltrans standards be met.

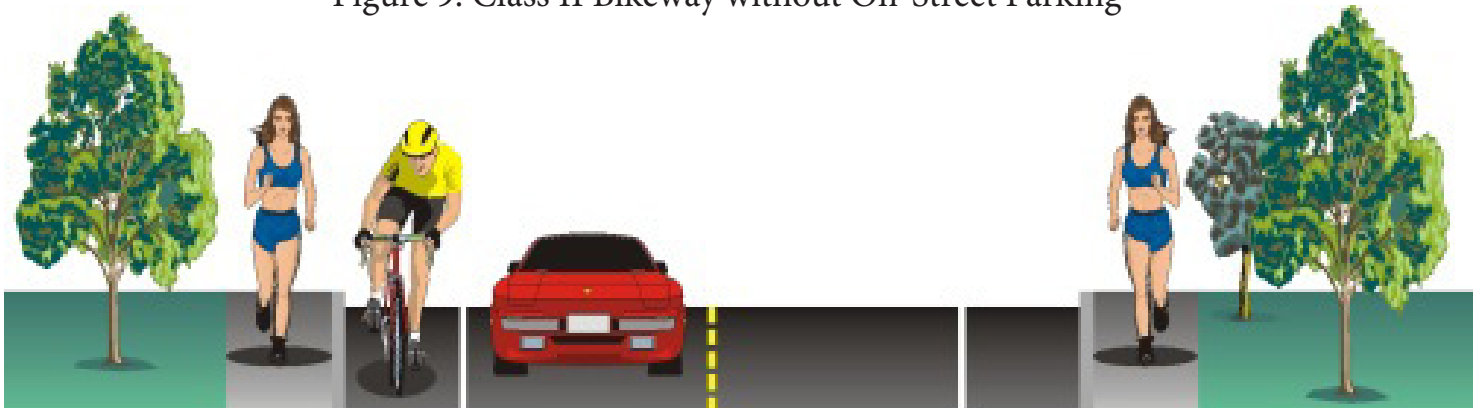
- The minimum paved area for a two-way bike path is eight feet, with at least two feet of shoulder on each side, although three feet is recommended. The preferred paved width of bike paths is at least 12 feet, especially where bicycle traffic is expected to be heavy. Widths greater than eight feet are also needed if significant pedestrian traffic is anticipated, although such dual use is undesirable; the preferred solution is to provide separate bicycle and pedestrian facilities.
- Paths should be consistent with the Americans with Disabilities Act (ADA).
- If equestrians and/or heavy equipment including fire trucks are expected to use the facility, the vertical clearance should be 12 feet minimum.
- Landscaping should be low maintenance and low water types. Use or preservation of native materials, especially along riparian habitats, is recommended. Lighting should be provided along bike paths if open after dusk. Lighting standards may be similar to street standards.

- Barriers/gates should provide for disabled access, with 5 feet minimum between bollards. Barriers to prevent motorcycle entry onto bike paths should be constructed; all barriers should be removable by emergency vehicles.
- Striping and signing should be provided indicating the presence of the bike path and for speed limits, stops, and slow warnings.
- Bike paths should be constructed to accommodate maintenance vehicles (Note: Path sweepers may require more than 8 feet of vertical clearance. An evaluation should be performed on proposed undercrossings between the cost of providing additional headroom and the impact on sweeping operations).
- Pedestrians should be directed to unpaved paths when the opportunity exists.
- Adequate fencing (54-inch minimum) should be provided to protect the privacy of neighbors.
- At least 2 feet of unpaved shoulder should be provided for pedestrians where feasible.
- Trail head facilities (portable restroom, parking, drinking fountain) should be provided at appropriate locations.
- Maximum speed will be 15 mph unless otherwise posted.
- Minimum 5 feet of separation between bike path and adjacent roadway should be provided unless a barrier exists.
- 2 percent cross slope should be provided for drainage.
- All curve radii, super elevations, stopping sight distances, and lateral clearances on horizontal curves should conform to Caltrans Highway Design Manual, Chapter 1000, specifications.

Class II- Bike Lane

A Bike Lane, or Class II bikeway, is a bikeway established within the paved area of a road or street and shares the roadway with motor vehicles. It is marked by painted stripes, pavement markings and signage.

Figure 9: Class II Bikeway without On-Street Parking



- ♦ Bike lanes are intended to promote an orderly flow of traffic, by establishing specific lines of demarcation between areas reserved for bicycles and lanes to be occupied by motor vehicles.
- ♦ Signs and pavement markings are useful support facilities for bike lanes.

Figure 10: Class II Bikeway with On-Street Parking



- ◆ Bike lanes can increase bicyclists' confidence that motorists will not stray into their path of travel.
- ◆ Bike lanes are appropriate on busy urban thoroughfares, and may also be used on other streets where bicycle travel and demand is substantial.
- ◆ Motor vehicles or pedestrians may not travel in bike lanes, but vehicle cross-flow is allowed to access on-street parking.
- ◆ Bike lanes are designated by solid white striping, and dashed striping at intersection approaches, where vehicles may cross to make turns.
- ◆ While none are currently present in Merced, providing buffers between Class II bikeways and motor vehicle traffic reduces potential conflict between cyclists and motorists. Adding vertical barriers in this separation area creates a Class IV bikeway. See "Examples of Bicycle Facilities from Other Communities" on page 29 for more details about Class IV bikeways.

The City of Merced's preferred standards for bike lanes are summarized below.

- Where no curbside parking is allowed, bike lanes should generally be 6 feet wide in each direction, as measured from the curb. Where the paved width is inadequate, bike lanes can be narrowed to 5 feet, but only if absolutely necessary.
- Where curbside parallel parking is adjacent to bike lanes, if a buffer zone is provided, it should be striped so drivers do not park in the buffer. The preferred standard for a bike lane next to parking is 5 feet wide, assuming a 9-foot parking lane.
- Bike lanes are not recommended in areas where perpendicular or angle parking is allowed, due to the poor sight lines for motor vehicles backing into the street.
- On arterial streets where parking is allowed and demand is high, a second stripe should delineate the bike lane from the parking lane.
- Caltrans has specific standards for Class II lanes, including solid 6-inch-wide continuous white striping, and placing signage at the beginning of each bike lane, at the far side of each arterial crossing, and at change in directions. Existing bike lanes that do not meet Caltrans standards should be improved; those that cannot should be identified as Class III bikeways.
- Bike lanes should be located on the right hand side of one-way streets. The ability to install improvements is dependent on the available right-of-way and need, but should also apply to all new intersections along the proposed route.

- Where possible, four-foot pockets should be provided at intersections between the right turn only lane and the through lane.
- Signal loop detectors should be provided at major signalized intersections unless pre-timed signal coordination is in effect.
- Where possible, bike lane width should not include gutters. In places where spatial considerations make this impossible, bike lanes should extend at least 3 feet beyond the edge of the gutter. Combination gutters and bike lanes along with heavy traffic results in bicyclists using the sidewalk. This can increase danger for cyclists as sidewalks have significant impediments such as light poles and riding on sidewalks endangers pedestrians.

Figure 11: Gutter/Bike Lane Combinations and Heavy Traffic



Class III- Bike Route

A bike route, or Class III bikeway, is a bikeway that shares the street with motor vehicles. A signed bike route can include the use of sharrows to denote recommended lane position. Bicycles can operate within the travel lane, as they can on any roadway where a bike lane is not present. A bike route contains signs, but is not striped.

Figure 12: Class III Bike Route



- ◆ Class III bike routes, to be avoided if possible, are best used to connect or continue Class I or II facilities for short distances. In general, the designated use of sidewalks as a Class III bikeway for bicycle travel is unsatisfactory.
- ◆ Bike routes are common on neighborhood residential streets, on rural roads, and low-volume highways.
- ◆ Bike routes should be primarily used in small street segments that provide a connection from a discontinuous Class II bike lane.

The decision to select and sign a bicycle route should be based on the suitability of encouraging bicycle travel in the corridor. Adequate width for a bike route depends on the volume, speed, and mix of traffic, the presence or absence of a paved shoulder, surface condition, grade, curves, sight distance, obstacles such as parked cars, and the skill of bicyclists using the road. Bike routes should provide a higher level of service than other streets and roadways to bicyclists and should:

- Provide for through and direct travel in bicycle-demand;
- Connect discontinuous segments of bike lanes;
- Access traffic control priority at intersections;
- Coincide with removal of parking in areas of restricted width;
- Have surface imperfections and irregularities corrected upon designation; and,
- Be maintained at a higher standard than comparable streets.

Bike routes should be provided on the proposed system if the requirements described for Class II bike lanes cannot be met. Bike routes, while lacking striped lanes, should provide the following where possible: detectors at signalized intersections, travel lanes at least 14 feet wide excluding parking or 21 feet wide including parking, warning signs to motorists, directional signs to bicyclists, and adequate pavement conditions with higher standards of maintenance.

Shared Lane Markings- Sharrows

A shared lane marking, or sharrow, is a marking on the ground to indicate recommended lane position for cyclists. It shows the correct direction of travel, reminds bicyclists to ride further from parked cars to prevent “dooring” collisions, and alerts road users of the lateral location bicyclists are likely to occupy within the traveled way. Sharrows encourage safe passing of bicyclists by motorists and reduces the incidence of wrong-way bicycling.

- ◆ Sharrows work best when the implementing agency provides a lot of education about their use and meaning to cyclists and motorists alike to prevent accidents.
- ◆ Do not place sharrows on major arterials; place them on streets with low traffic volumes.

- ◆ Use sharrows on streets with low speeds, generally 20-35 MPH.
- ◆ Place sharrows in rural or residential neighborhoods.
- ◆ Place sharrows on narrow streets so motorists are encouraged to pass cyclists.
- ◆ Place sharrows on roads with high bicycle demand.
- ◆ On streets with posted speeds of greater than 35 MPH or motor vehicle volumes higher than 3,000 vehicles per day, sharrows are generally not a preferred treatment.

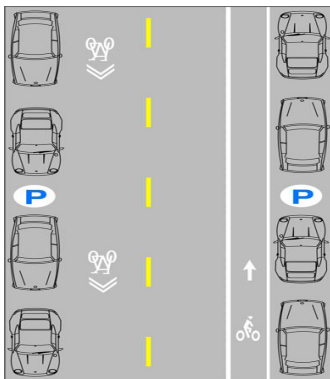
Figure 13: Shared Lane Marking/Sharrow



The Shared Lane marking in use within the United States is the Bike-and-chevron “sharrow,” illustrated Figure 13 and in the Manual on Uniform Traffic Control Devices figure 9C-9.5¹⁴. Shared Lane Markings should be placed immediately after an intersection and spaced at intervals of 50 to 100 feet along busier streets and up to 250 feet in low traffic streets. Shared lane markings shall not be used on shoulders or in designated bicycle lanes.

On streets with posted 25 mph speeds or slower, preferred placement is in the center of the travel lane to minimize wear and encourage bicyclists to occupy the full travel lane.

Figure 14: Sharrows and Parallel Parking



When adjacent to on-street parallel parking, as in Figure 14, the center of the sharrow should be at least 11 feet from the curb to ensure the marking is in the middle of the travel lane.

Figure 15: Sharrows and Diagonal Parking



When adjacent to diagonal parking, as in Figure 15, the center of the sharrow should be in the middle of the traffic lane.¹⁵

¹⁴ Part 9 “Traffic Control for Bicycle Facilities”, Manual on Uniform Traffic Control Devices. 2009. 1349-1395.

¹⁵ San Francisco Municipal Transportation Agency. 2008. Shared Lane Markings: When and Where to Use Them.

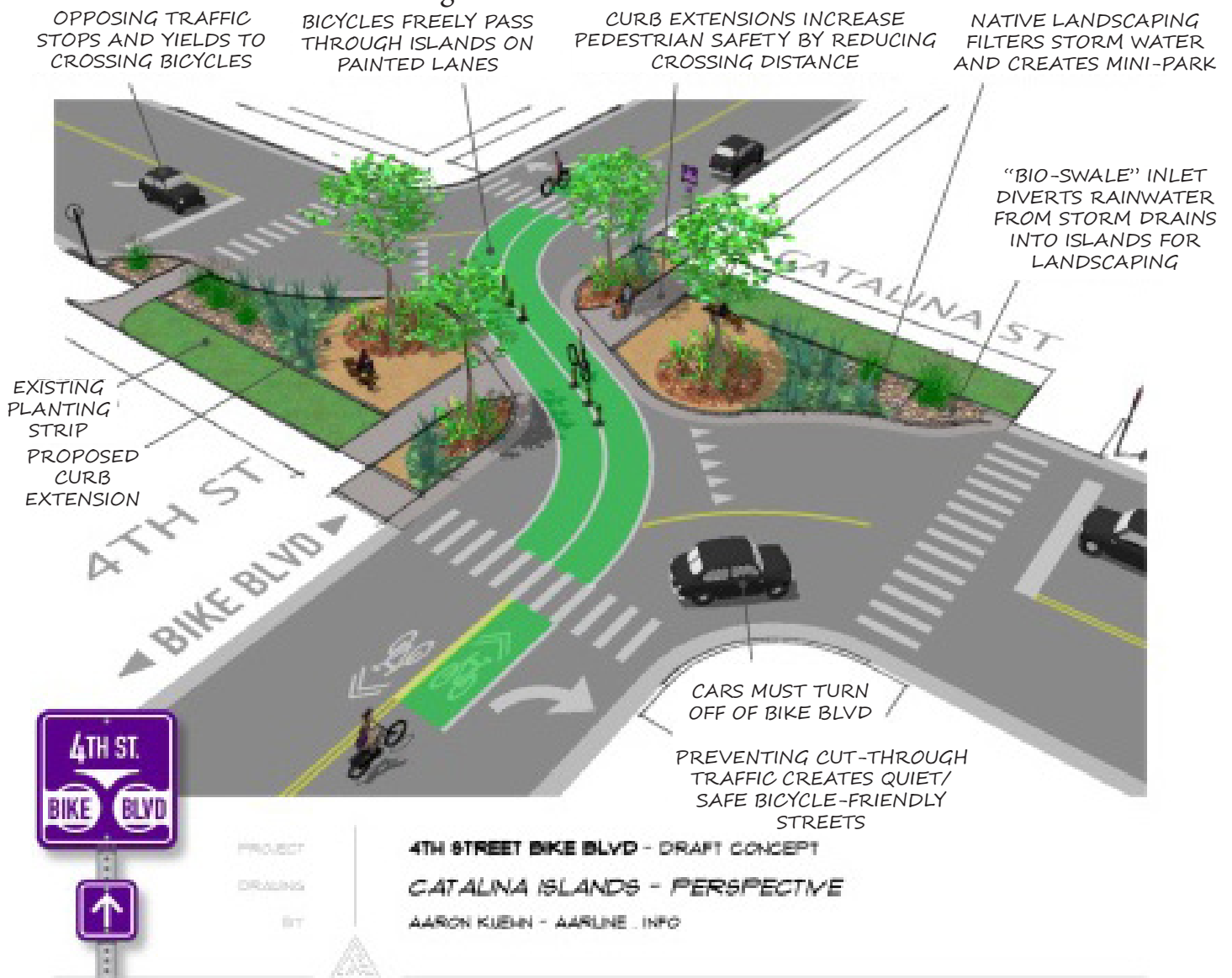
Examples of Bicycle Facilities from Other Communities

The following facilities are best practices found in other communities around California and the world, but they have not yet taken root in Merced.

Bike Boulevard

A Bicycle Boulevard is a street that has been modified to prioritize through bicycle traffic and discourages motor vehicle traffic. Traffic calming devices control traffic speeds and discourage through trips by automobiles. Traffic controls limit conflicts between vehicles and bicyclist and give priority to through bicycle movement at intersections. Direct and continuous streets work better than circuitous routes that wind through neighborhoods.

Figure 16: Bike Boulevard



Bike boulevards work best on a street grid system, similar to that of downtown Merced. Additional recommendations for bike boulevards include:

- ◆ Place diverters at key intersections to reduce through motor vehicle traffic.
- ◆ Turn stop signs towards intersecting streets, to reduce interruptions for bicyclists.
- ◆ Place traffic-calming devices on streets to lower motor vehicle traffic speeds.
- ◆ Place directional signs or markings to route cyclists to key destinations, to guide cyclists through difficult situations, and to alert motorists of the presence of bicyclists.
- ◆ Provide crossing improvements where the boulevard crosses high-speed/high-volume streets. Example improvements include:
 - Signals where a traffic study has shown that a signal will be safe and effective and to ensure that bicyclists can activate the signal
 - Loop detection where bicyclists ride and/or push buttons that do not require dismounting
 - Median refuges of 8 feet at minimum with an opening at least 6 feet wide to allow bicyclists to pass through, that are designed such that bicyclists can see the travel lanes they must cross.

Class IV- Separated Bikeway

A Class IV separated bikeway, sometimes referred to as a protected bike lane or cycle track, is for the exclusive use of bicycles and is physically separated from motor traffic with a vertical feature. The separation may consist of grade separation, flexible posts, inflexible barriers, on-street parking, or other features. Class IV bikeways can provide for one-way or two-way travel. By providing physical separation from motor traffic, these bikeways can reduce the level of stress, improve comfort for more types of bicyclists, and contribute to an increase in bicycle volumes and mode share. However, this treatment takes a great deal of space and in many cases a great deal of expense to install. Figure 17 shows a Class IV bikeway that uses on-street parking as a separation between the bicycle lane and motor vehicle traffic, and Figure 18 shows a Class IV Bikeway using permanent planters as separation.

Figure 17: Class IV Bikeway with On-Street Parking as Separation



Figure 18: Class IV Bikeway with Permanent Planters as Separation



Advanced Stop Lines and Bike Boxes

For the minimal cost of changing the application of paint on the roadway, advanced stop lines and bike boxes can be a cheap way to improve the experience for cyclists and pedestrians while increasing safety at the same time. By providing a stop location for motor vehicles an increased distance from pedestrian crosswalks, a much more comfortable and safe crossing experience can be maintained. Vehicles are also much less likely to enter the pedestrian crossing while queueing to depart the intersection, allowing better visibility for pedestrians across their path of travel.

Cyclists benefit from these treatments as well. Whether using an advanced stop line as in Figure 19, or incorporating a full bike box as in Figure 20, cyclists become more visible to motorists as they move to the front of the queue. Since cyclists are given priority, turning motions are much easier to perform as a result of these configurations. Cyclists also are able to wait in an area with fewer exhaust emissions than if they were in the queue with the motor vehicles, making the cycling experience more pleasant. Figure 20 also shows an effective way to communicate to all roadway users that cyclists have a lane that continues through the intersection, shown with both the application of green paint on the roadway partway through the intersection, and also with the green on the sign at the right, connecting the two indicators.

Existing Bikeways

The City of Merced's system provides approximately 70.05 miles of existing bikeways. The system can be further broken down into four types of facilities: lanes, paths, routes, and sharrows. There are not presently any bike boulevards in the City of Merced. A breakdown of the existing bikeways in Merced by type is below, and Map II depicts these existing bikeways.

- ◆ Bicycle Lanes: 34.449 miles
- ◆ Bicycle Paths: 22.208 miles
- ◆ Bicycle Routes: 10.062 miles
- ◆ Sharrows: 3.33 miles

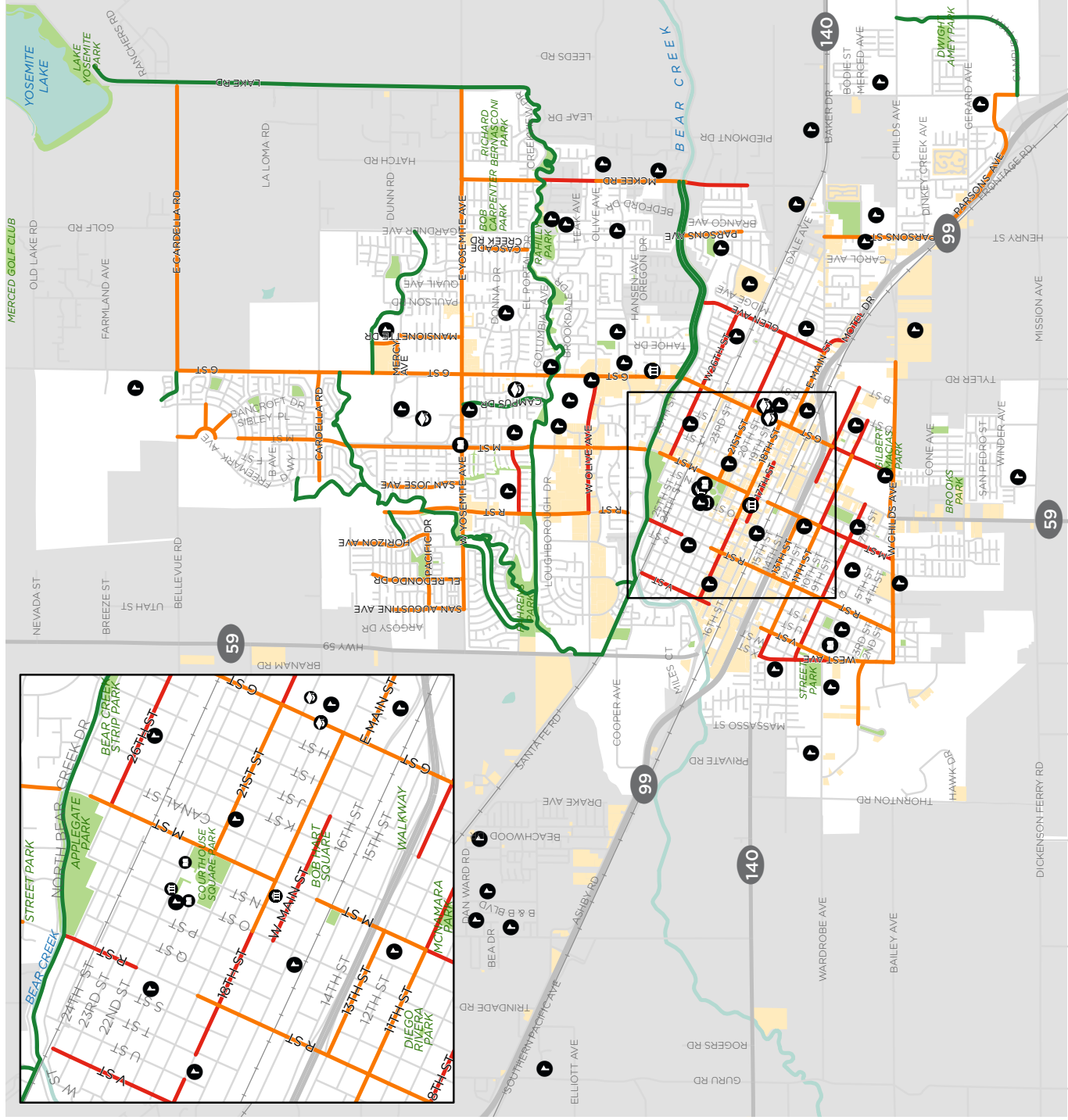
Figure 19: Advanced Stop Line and Bike Lane



Figure 20: Advanced Stop Line and Bike Box



Map II: Existing Bicycle Network



MERCED

ACTIVE TRANSPORTATION PLAN

BICYCLE NETWORK

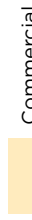
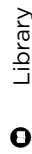
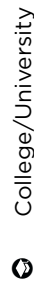
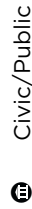
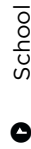
Existing Bikeways

Class I Shared Use Path

Class II Bike Lane

Class III Bike Route

DESTINATIONS + BOUNDARIES



0 0.5 1
MILES

alta Map produced March, 2017.
Data Source: ESRI, City of Merced.

CalEnviroScreen

Part of the process of reviewing the City of Merced's existing system was to use CalEnviroScreen to map the City. Per the Office of Environmental Health Hazard Assessment (OEHHA) website,¹⁶ CalEnviroScreen is a mapping tool that helps identify California communities that are most affected by many sources of pollution, and where people are often especially vulnerable to pollution's effects. CalEnviroScreen uses environmental, health, and socioeconomic information to produce scores for every census tract in the state. An area with a high score is one that experiences a much higher pollution burden than areas with low scores. CalEnviroScreen ranks communities based on data that are available from state and federal government sources.

CalEnviroScreen was developed to identify communities suffering from cumulative impacts of multiple pollutants and people who are especially vulnerable to pollution's effects, such as young children and people with asthma. It also considers socioeconomic factors such as poverty, education, race and ethnicity.

Map III shows the City of Merced as per CalEnviroScreen; areas with darker blue hues have higher scores and are faced with more adverse conditions. South Merced has the highest scores in the City, with the downtown area and central Merced similarly high. North of Bear Creek, the scores trend toward the lower end of the scale, indicating fewer adverse conditions.

Map IV shows the CalEnviroScreen scores for Merced with the existing bicycle network superimposed on it. Higher-scoring areas tend to lack Class I Paths, whereas lower-scoring areas tend to have them. Particularly noteworthy is the lack of cycling facilities available south of Childs Avenue, where some of the highest-scoring and most disadvantaged communities are.

Map V shows CalEnviroScreen scores for Merced with a sidewalk gap analysis superimposed on it. Within City limits, sidewalk gaps are most severe in central and south Merced. Additionally, Map 5 shows a severe lack of facilities nearby but outside the City of Merced's jurisdictional boundaries in the County, such as along Childs Avenue. This can be best addressed with cooperation between the City of Merced, the County of Merced, the Merced County Association of Governments (MCAG), and other organizations with interests in and resources to commit to the sidewalk network. For more discussion on pedestrian issues, see "Pedestrian Facilities", Page 44.

¹⁶ <https://oehha.ca.gov/calenviroscreen/about-calenviroscreen>
387

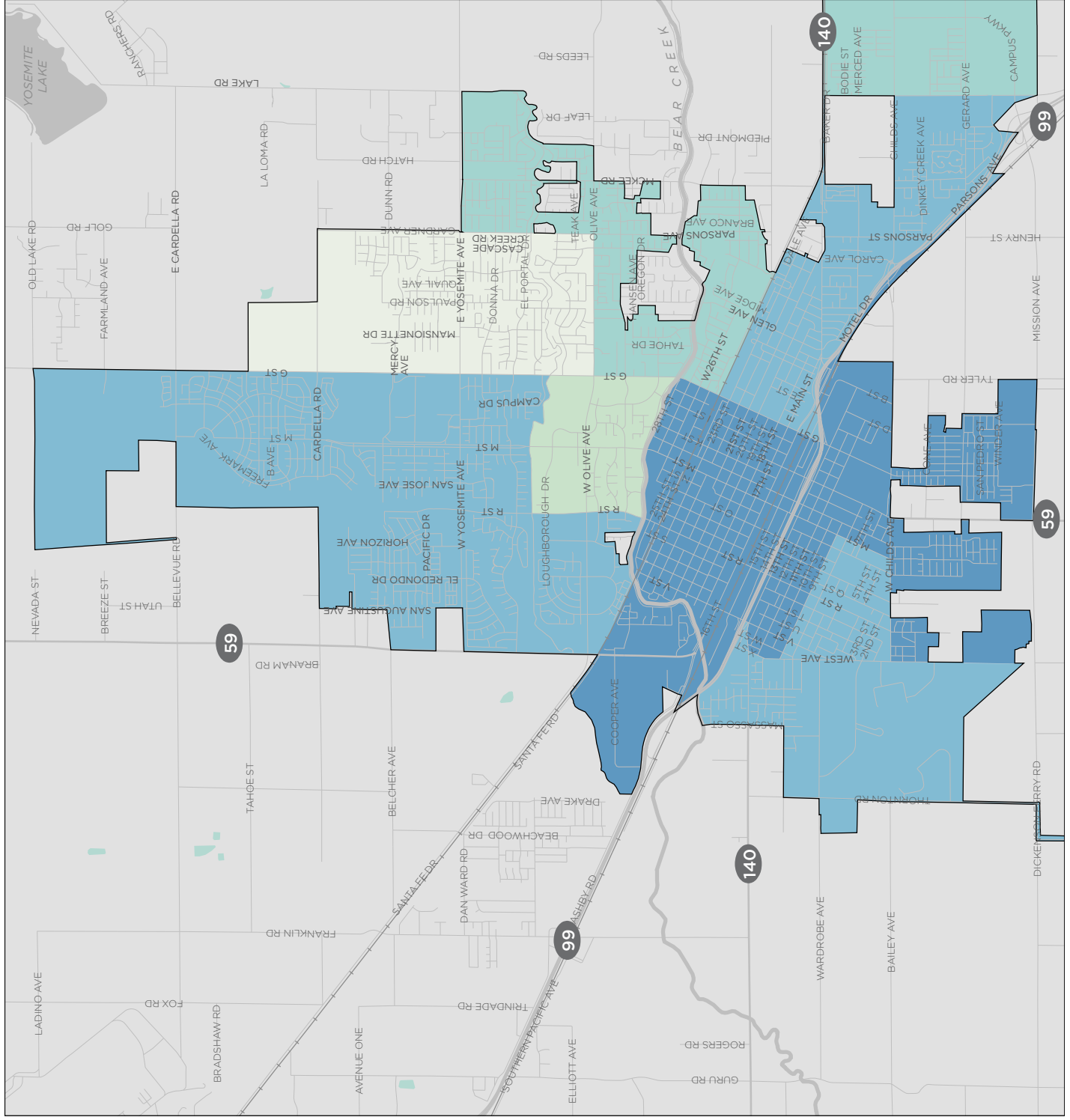
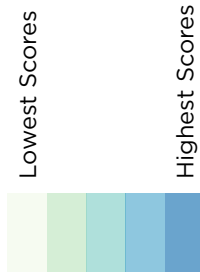
Map III: Merced CalEnviroScreen

MERCED

ACTIVE TRANSPORTATION PLAN

CalEnviroScreen

Scoring is based on environmental, health, and socioeconomic conditions. Areas with higher scores are faced with more adverse conditions and areas with lower scores are faced with less adverse conditions.



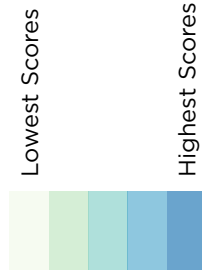
alta Map produced March, 2017.
Data Source: ESRI, City of Merced,
CalEnviroScreen

MERCED

ACTIVE TRANSPORTATION PLAN

CalEnviroScreen

Scoring is based on environmental, health, and socioeconomic conditions. Areas with higher scores are faced with more adverse conditions and areas with lower scores are faced with less adverse conditions.



BICYCLE NETWORK

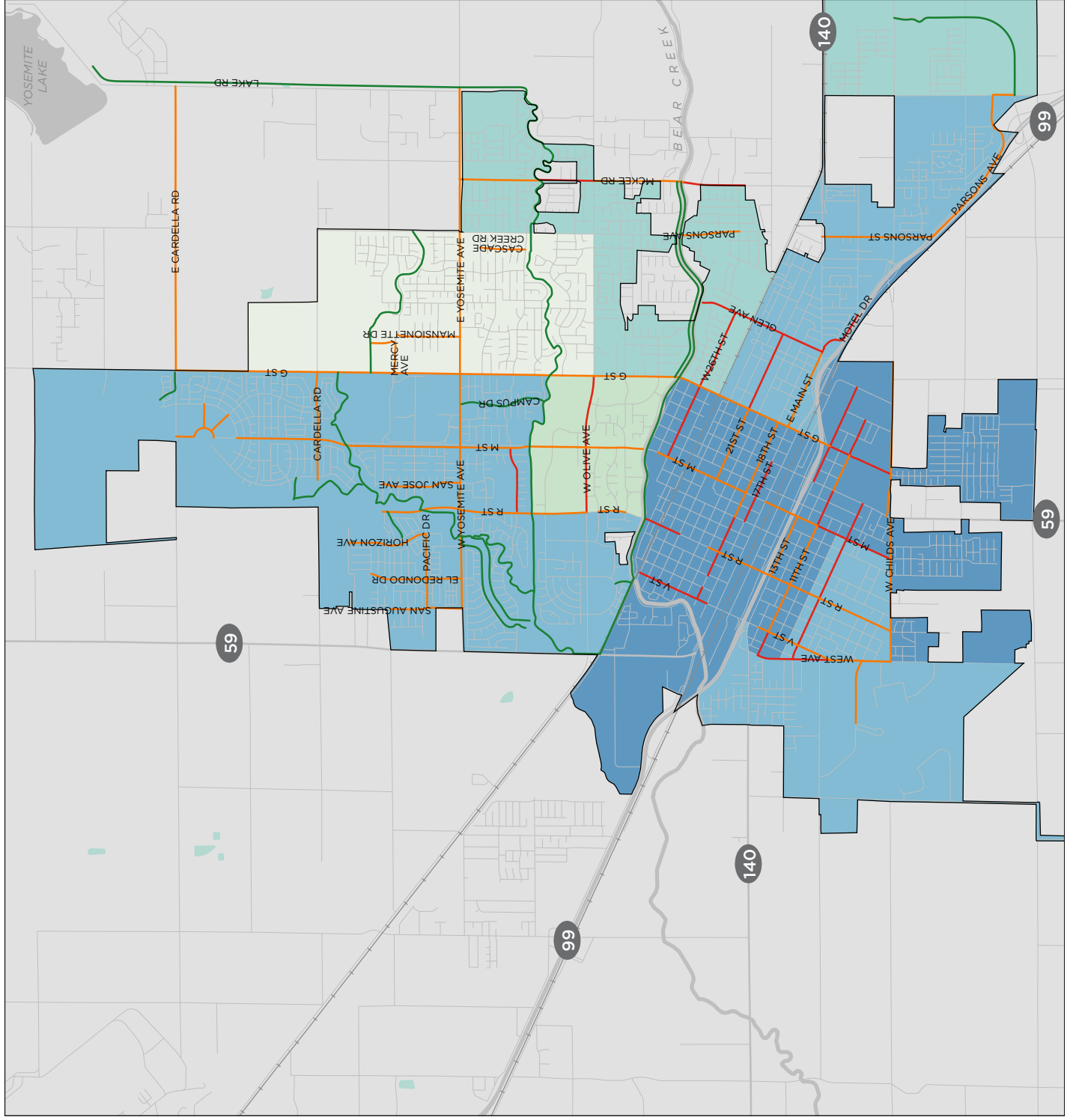
Existing Bikeways

- Class I Shared Use Path
- Class II Bike Lane
- Class III Bike Route

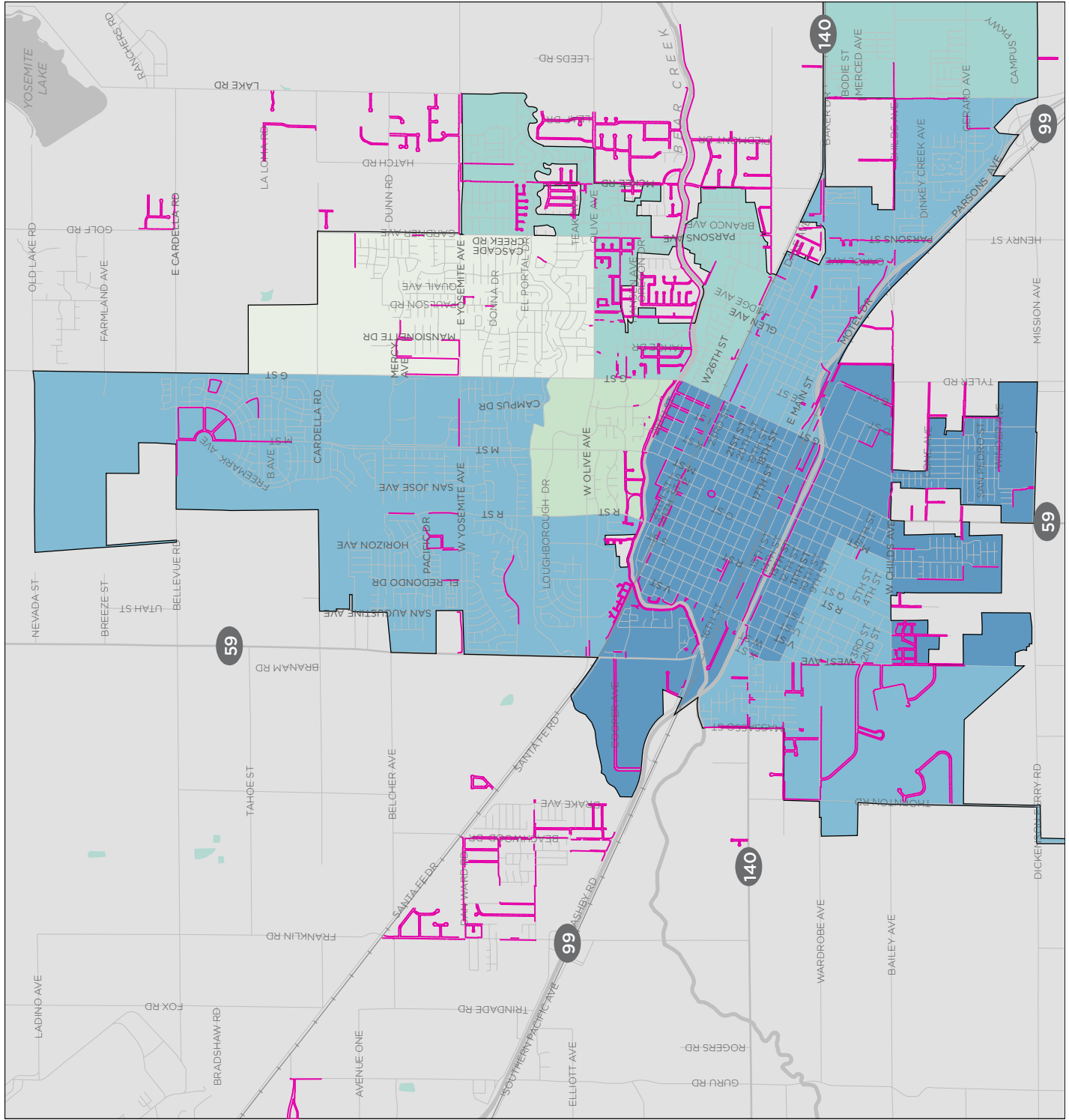


alta Map produced March, 2017.
Data Source: ESRI, City of Merced,
CalEnviroScreen

Map IV: Merced Bicycle Network and CalEnviroScreen



Map V: Merced Pedestrian Network and CalEnviroScreen



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ACTIVE TRANSPORTATION PLAN

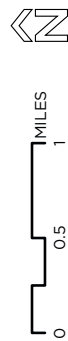
CalEnviroScreen

Scoring is based on environmental, health, and socioeconomic conditions. Areas with higher scores are faced with more adverse conditions and areas with lower scores are faced with less adverse conditions.



Existing Pedestrian Network

No Sidewalk



alta Map produced March, 2017.
Data Source: ESRI, City of Merced,
CalEnviroScreen

Bicycle Support Facilities

Several types of support facilities can be deployed to encourage bicycle commuting to work, commercial centers, public offices, parks, colleges and schools. These include, but are not limited to the facilities in Table F.

Table F: Bike Support Facilities

Bike Support Facilities	
Undercrossing	Used to provide a safe crossing under the road for a Class I bikeway.
Parking	Include secure racks, lockers, storage rooms, and valet service.
Showers	Allow bicyclists to refresh themselves before starting work or school.
Lockers	For storing a change of clothes.
Water Fountains	Along paths for refreshment.
Lighting	Along bikeways to increase safety and security.
Maintenance/Self-Repair Stations	Along bikeways providing air, water, and basic tools for bicycle repair.
Transit Connections	Includes bike racks/storage at transit centers and bike racks on buses.
Bikeway Trailhead Facilities	Includes such items as restrooms, parking, and drinking fountains.
Bridges	Widened road bridge, pedestrian/bike over roads.
Bike Detection Loops/Video/ Push-Button	Allows cyclists to be detected at traffic signals without dismounting.
Bike Commuter Map	Guide citizens and visitors to navigate Merced bikeways.
Signs	Provide directional, way-finding, and safety information.

Signage supporting bicycling is most well-recognized with white text on green background, such as in figure 21 at the right. This signage works most effectively in combination with green striping and paint to create the visual linkage between the two.

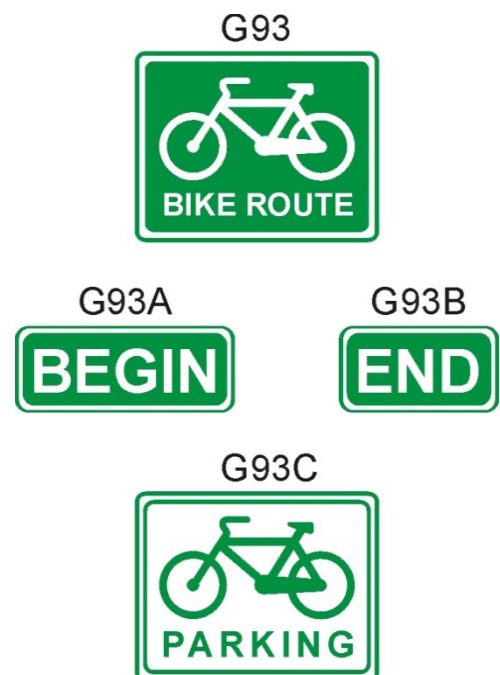
The BIKE ROUTE signs (G93) may be used to mark bicycle routes, lanes, or paths may be used on the right along designated bike lanes. At turns, the sign shall be supplemented with directional arrows. Special guide signs indicating high demand destinations.

The BEGIN and END plates (G93A, G93B) may be used to supplement the G93 sign.

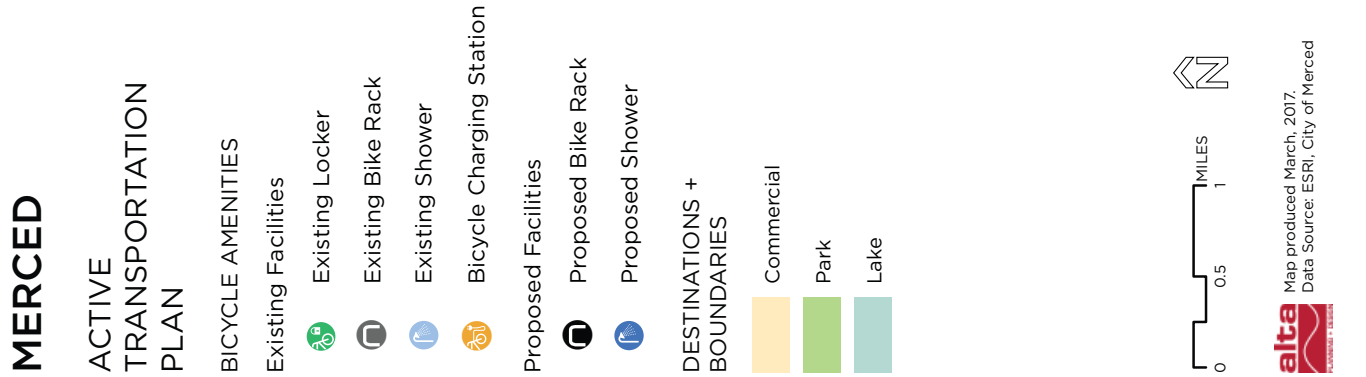
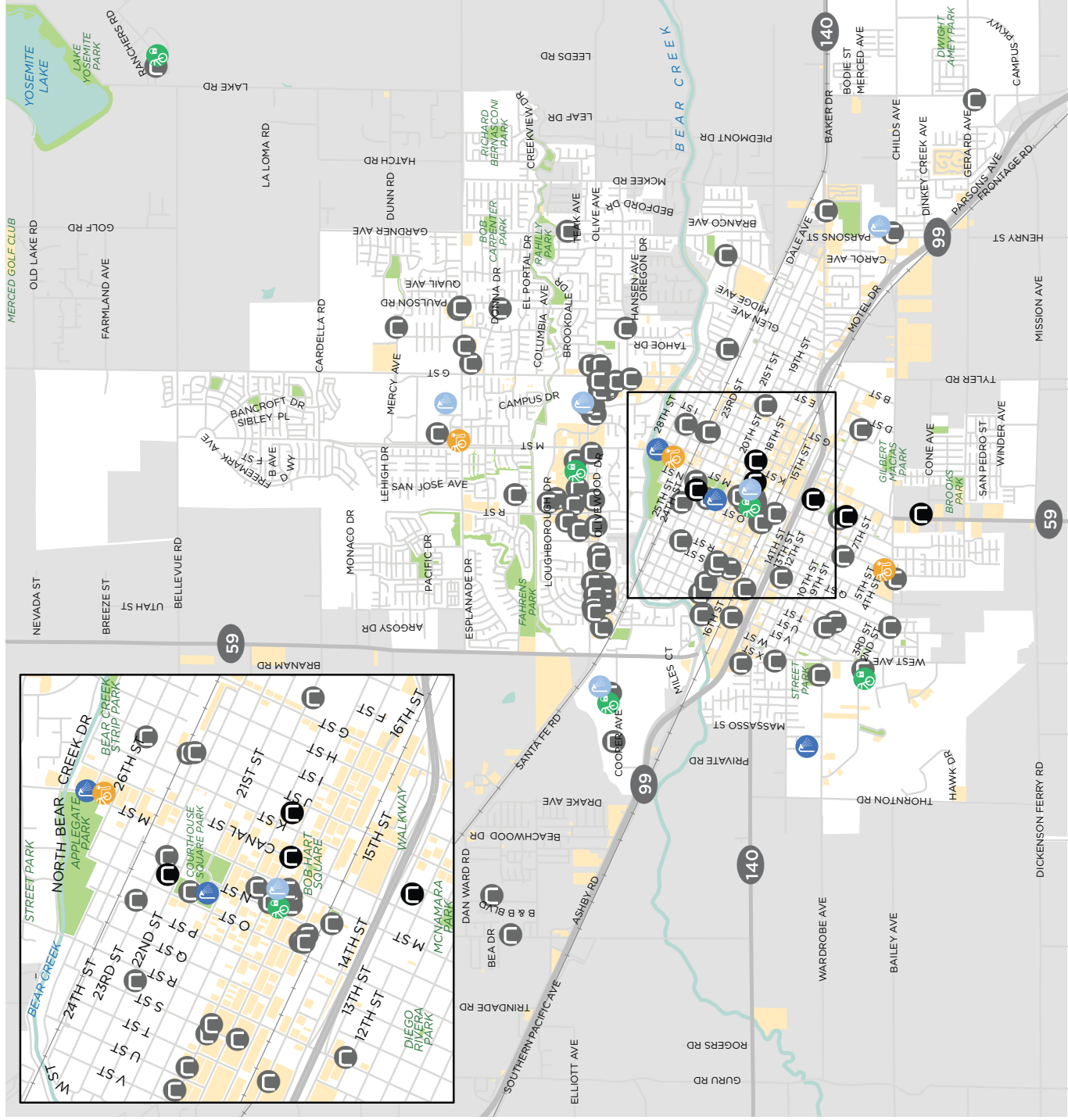
The BIKE PARKING sign (G93C) may be used to identify bicycle parking at Park and Ride lots and should be used at other bicycle parking facilities. The sign is to be placed at or near the parking area, or in any case, where the sign can be easily seen by traffic on the adjacent street.

Map VI shows existing and proposed bicycle support facilities as they relate to destinations including commercial areas, parks, and lakes.

Figure 21: Bike Signs



Map VI: Existing Bicycle Support Facilities



Bicycle Parking

Bicycle racks are the most common short-term bicycle parking facility seen in Merced. Due to increasing popularity in both recreational and commuter bicycle use, bike racks are located at many sites throughout Merced including the downtown area, Merced Mall, schools, and several large employers. The majority of racks tend to be focused in two clusters in the central part of the City: around the downtown and around the Olive Avenue shopping area with the Merced Mall and other big box stores.

Safe, long-term bicycle security, such as the bicycle shelters at the Transportation Center and the Amtrak station may encourage bicyclists to use their bikes as initial transportation to one of these storage areas before continuing the trip by train or bus. This long-term parking can be especially helpful for bicyclists wanting to take trips with bus systems that do not carry bikes.

Downtown Merced

In the downtown area, bike racks are clustered on the western segment of 18th Street between R Street and V Street, and between 19th Street and 17th Street between N Street and M Street. The latter area also has a bike locker and a shower facility. One notable gap is the lack of bike racks between R Street and O Street, which makes parking a bicycle for destinations on these blocks less convenient.

Merced Transit Center

The Merced Transit Center, located near the intersection of N Street and West 16th Street, is served by a number of local transit and long-distance buses. While there are short-term bike racks located at this facility, there are no lockers or other long-term parking facilities. For those who use the transit center as a bus connection or for those traveling on a long-distance trip, secure long-term parking has the potential to make biking to the transit center a more practical and viable option. This is especially true if there is not a desire for the traveler to take their bike with them on the trip.

New Downtown Developments/Projects

There are many recent, planned, and in-progress developments for the City including the UC Merced Downtown Campus Project and the California High-Speed Rail Station. While existing racks may have enough coverage for current uses, both the UC project and the high-speed rail project will require different bike parking plans.

At the time of the creation of the existing facilities map, UC Merced was in the process of building an administrative building across the street from the Merced Civic Center. Being an administrative building with office workers and associated staff, a mix of both short and long-term parking is recommended to be built in the area to accommodate the new workers. Short-term parking in the form of loop bike racks are already available along 18th Street in front of the facility, shown in Figure 47 on Page 131.

Merced's California High-Speed Rail station will be located near 16th Street, between J Street and G Street. While the train station may generate some demand for short-term parking, employees and travelers who wish to access the station via bicycle will require long-term facilities to sufficiently satisfy their parking needs. A bike cage with an appropriate security system, such as contactless cards or key fobs, would work well with the station site.

Olive Avenue

Olive Avenue is another large commercial area in Merced. The Merced Mall and other "big box" retailers are present in this corridor. Bike racks are present along the commercial areas of this corridor, but there is only one set of lockers. Providing additional lockers along the corridor can better serve the area's workers and further encourage them to bike to work.

Activity Generators That Need Bicycle Parking

There are several land uses that can benefit from having the appropriate type and amounts of bicycle parking: commercial and retail areas, transit stations and centers, parks, and schools. Ensuring that these uses, along with areas with specific concentrations of activity such as Downtown Merced and the Olive Avenue area, have access to bicycle parking can be beneficial to workers, shoppers, students, travelers and business owners.

Parks

Parks are a great resource for everyone in the community. Whether by choice or by chance, some people are more fortunate and live and/or work closer to parks than others. When parks have bike racks, they provide people with a secure way to park their bikes; expanding the effective service area of a park beyond walking distance for those who cannot or will not drive to it. This can dramatically increase the value of existing park infrastructure at a fraction of the cost of creating additional parks.

Schools

A critical component of any Safe-Routes-to-School Plan is improving conditions for students who bike to school. Supplying adequate end of trip facilities is just as important for students as it is for workers, shoppers, and visitors. Each school should have an adequate amount of secure bicycle parking for students, faculty, and staff. Each school has a different enrollment area and various geographic and socio-economic conditions, so there can be no solution (i.e. number of and types of racks) that will fit every school. It will be important to find the solution that fits each school to maximize the effectiveness and use of the racks.

Every school in Merced should have an adequate amount of secure bicycle parking for students, faculty, and staff. It is important to find solutions that fit each school to maximize the effectiveness and use of active transportation.

Showers and Clothing Lockers

Shower facilities for bicycle commuters in Merced are limited. Several schools have showers and lockers that could be used by faculty who choose to bicycle to work. A few businesses in the industrial parks, the hospital, and public facilities also have lockers for employees. Both showers and lockers are provided at the Merced City Civic Center.

Bicycle Maintenance/Self-Repair Stations

A relatively recently implemented measure, bicycle maintenance or self-repair stations were installed in three locations along some of Merced's most frequented areas. Inclusive of a small shelter, an air pump, and tools to aid in bicycle maintenance and repair, these stations have seen mixed results. Their locations are notated on Map VI above as "Bicycle Charging Station". All three stations have some combination of damage to the tool kit and vandalism; the station near Merced College has moderate wear but is generally well-preserved and sees consistent use, the station near Applegate Park has portions of its tool kit damaged or missing, and the station in south Merced near Tenaya Middle School has had its air pump broken and its entire tool kit is missing. Without these tools, the station has little to no power to assist cyclists outside of the stand to place a bicycle on and the shelter provided from the sun. While repairs to these stations or additional locations for new stations could be beneficial, a plan to fund monitoring and ongoing repair of the stations themselves with coordination between the public, the police department, local bicycle organizations, and other stakeholders is necessary if these stations will be a valuable tool to cyclists in Merced.

Figure 22: Bicycle Maintenance Station Near Merced College



Figure 23: Damaged Bicycle Maintenance Station Near Tenaya Middle School



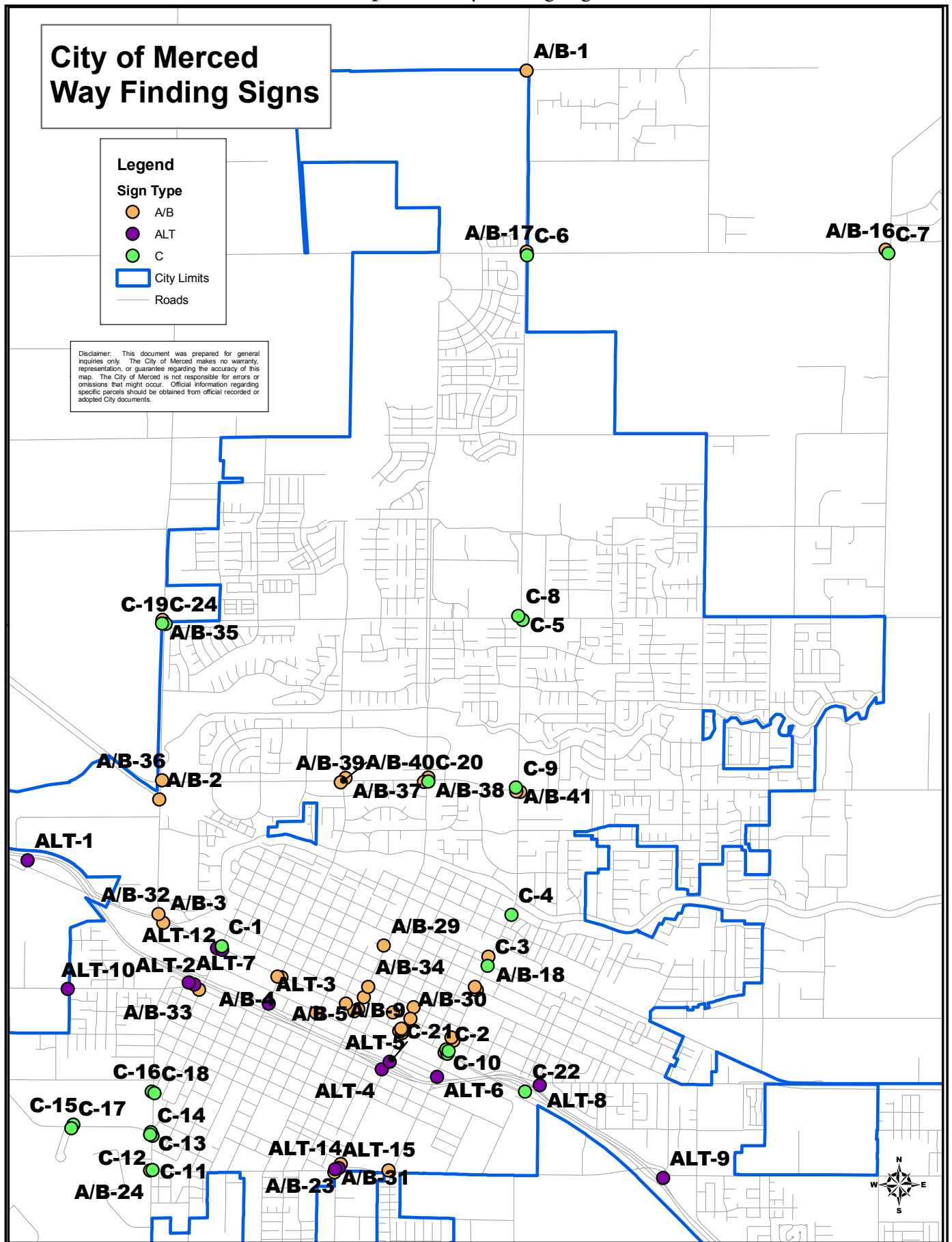
Wayfinding Signage

The City of Merced has a number of wayfinding signs already in place. Future wayfinding would conform to the general aesthetic of the existing signage and continue to improve the ability for users of all modes to locate important recreational, cultural, civic, and other landmarks in the City. Figure 24 shows examples of wayfinding signs in the City of Merced, and Map VII shows their existing locations.

Figure 24: Wayfinding Signs



Map VII: Wayfinding Signs



Pedestrian Facilities

At present, the City of Merced has approximately 524.56 miles of sidewalks. Additionally, Merced has a number of Shared-Use paths that accommodate multiple modes of active transportation at once.

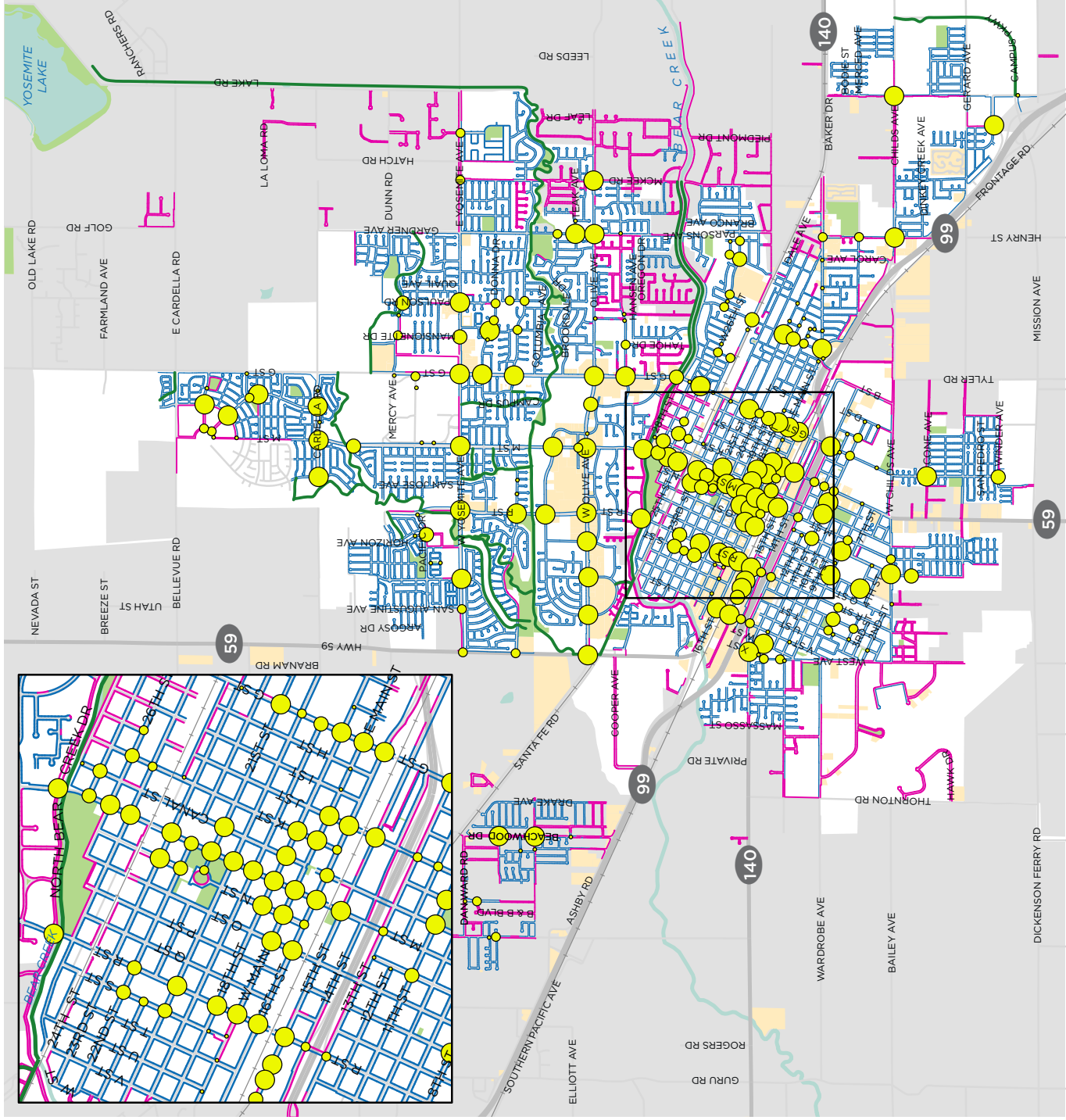
Map VIII shows Merced's existing pedestrian network including sidewalks, shared-use paths, areas with no sidewalk, and crosswalks. Map IX focuses on sidewalk gaps and shared-use paths. The downtown area, shown in the inset map, has the highest concentration of crosswalks, particularly ones with all four crossings present. The crosswalks in south Merced are sparser, though some areas such as 8th Street and 11th Street have decent coverage. Major arterials are largely traversable by pedestrians where they intersect with other major roadways, but some gaps do exist, such as the intersection of Yosemite and Parsons as well as several intersections with Childs Avenue.

As mentioned in "CalEnviroScreen" on page 33, there are noticeable gaps in pedestrian facilities in County areas near the edge of the City of Merced's city limits. This lack of facilities in these transitional areas would best be addressed in partnership with the City and County of Merced, along with the Merced County Association of Governments (MCAG), and other organizations with interests in and resources to commit to the sidewalk network. These organizations have already been working together, along with the City of Atwater, to propose improved facilities between Atwater and Merced, including areas in the County and connectivity to Franklin-Beachwood.

One gap that the City has recently tried to seek funding to improve is the Childs Avenue corridor between Manzanita Avenue and Coffee Street. At a 2018 Town Hall meeting held in south Merced near the site, local residents expressed extreme concern over the wellbeing and safety of students, pedestrians, and cyclists. Currently there is no pedestrian or bicycle infrastructure in place, and many children and parents with strollers walk in this area on the dirt shoulder in close proximity to traffic or an open irrigation canal. The proposed project intended to provide a safe east-west pedestrian corridor on the south side of Childs Avenue between Golden Valley High School and Weaver Middle School to improve the safety of the pedestrians traveling to and from those schools.

The project was proposed for Caltrans Cycle 4 Active Transportation Program funds, but did not receive an award. One of the difficulties of the project is the need to underground the Merced Irrigation District's canal infrastructure on the south side of Childs Avenue. While this would significantly enhance public safety, it comes at a high cost, over \$2 million for the undergrounding alone. The City should continue to investigate alternative funding options and alternative plans, including the possibility of collaborating with Merced County on improving the north side of Childs Avenue, which is within the County's jurisdiction.

Map VIII: Existing Pedestrian Network



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ACTIVE TRANSPORTATION PLAN

PEDESTRIAN NETWORK

Existing Pedestrian Network

- Shared-Use Path
- Sidewalk
- No Sidewalk

of Crosswalks

- 1
- 2
- 3
- 4

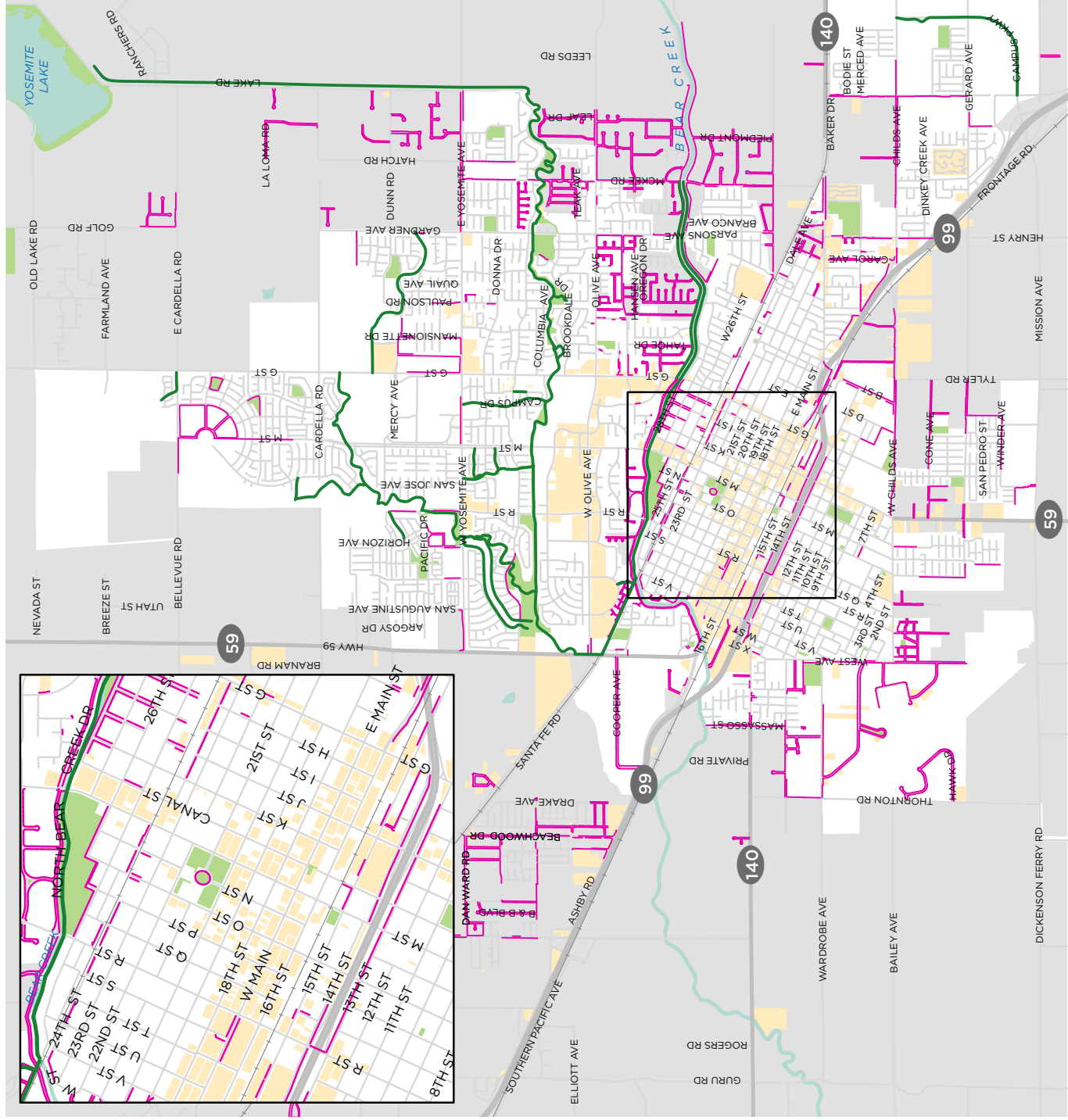
DESTINATIONS + BOUNDARIES

- Park
- Commercial
- Lake



alta Map produced March, 2017.
Data Source: ESRI, City of Merced.

Map IX: Sidewalk Gaps and Shared-Use Paths



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ACTIVE TRANSPORTATION PLAN

PEDESTRIAN NETWORK

Existing Pedestrian Network

No Sidewalk

Shared-Use Path

DESTINATIONS + BOUNDARIES

Park

Commercial

Lake



Map produced November, 2017.
Data Source: ESRI, City of Merced.



Bicycle and Pedestrian Bridges

The City of Merced has several bicycle and pedestrian bridges, listed below. Figures 25 and 26 depict some of these structures.

- Over Cottonwood Creek connecting White Dove Avenue to N Gardner Avenue
- Over Cottonwood Creek connecting Davenport Park to the west side of Cormorant Drive
- Over Black Rascal Creek in Rahilly Park
- Over Fahrens Creek at Donna Drive
- Over Fahrens Creek at La Playa Court
- Four (4) bridges over Fahrens Creek in Fahrens Park
- Connecting the bike lane on the west side of G Street south of Cardella Avenue
- Over Cottonwood Creek near Round Hill Drive

Figure 25: Bicycle Bridge to G Street



Figure 26: Pedestrian Bridge over Fahrens Creek at Donna Drive



Multimodal Connectivity

Bicycle and pedestrian multimodal connections encourage walking, bicycling, and transit use. Map X shows the existing transit system as a reference point.

M*ultimodal networks are equipped for people to use various modes of travel and facilitate connections between transport modes. Walkers, cyclists, drivers and users of public transportation can easily and comfortably move through a multimodal network, even if they change their mode mid-trip.*

Merced County Transit Buses

The Merced County transit buses are equipped with bicycle racks; these features enhance the bicyclist's range of travel. For locations that the Merced County transit system does not service directly, such as residences, bicyclists can ride to locations along the fixed-route bus transit system and use the racks to transport their bikes to the next portion of their journey. The Merced County bus service is run by the Transit Joint Powers Authority for Merced County.

Cat Tracks

Cat Tracks is a bus system that serves the University of Merced, connecting its riders to areas in Merced north of 16th Street and a single route that serves Atwater. Cat Tracks is run and operated by UC Merced, and their buses are equipped with bicycle racks.

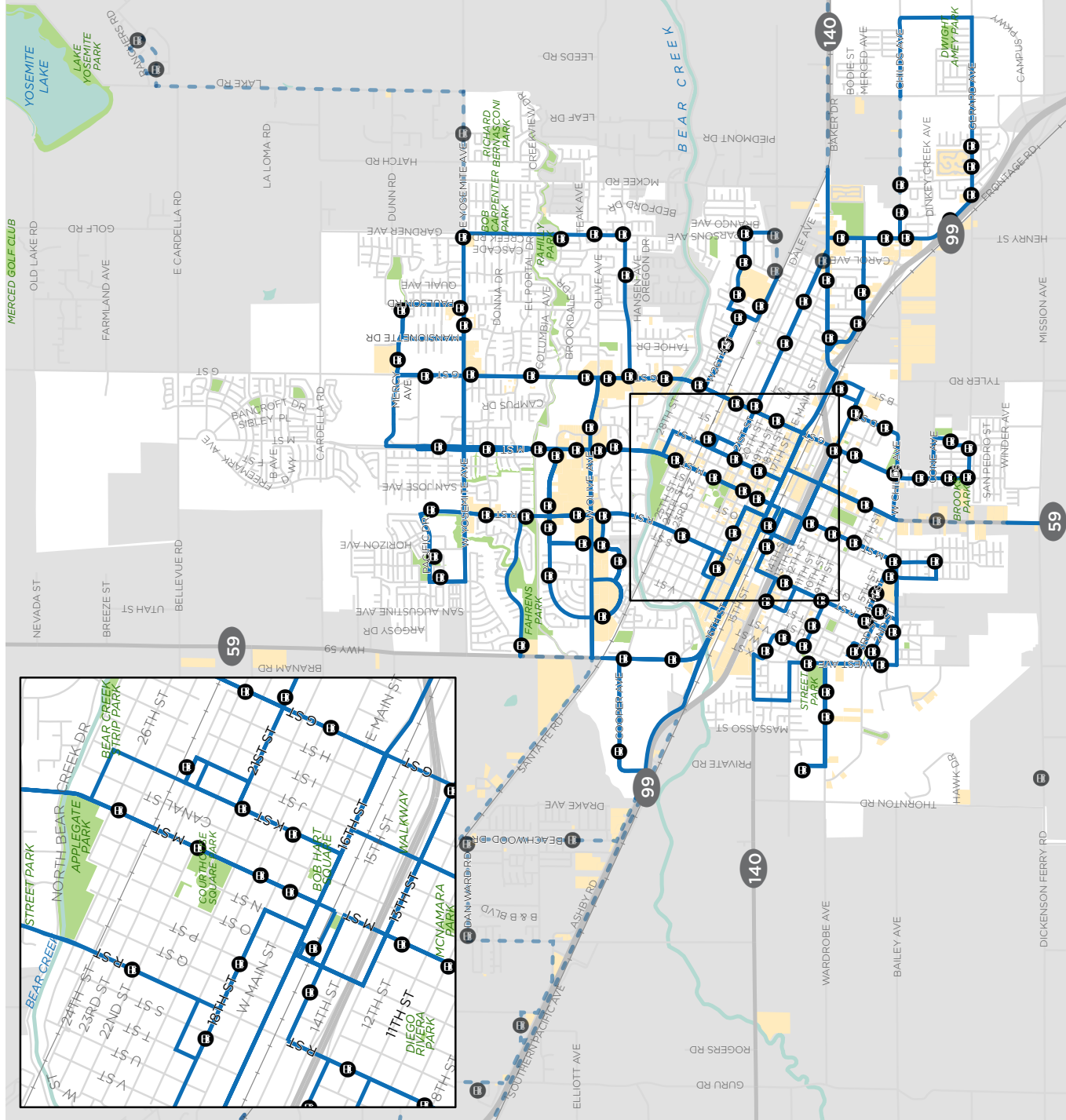
Amtrak and the Yosemite Area Regional Transportation System (YARTS)

Bicyclists can take along their bikes on Amtrak and on YARTS. Bikes are permissible on certain Amtrak trains as long as the passenger's bike is no more than 50 pounds. A passenger can take a bicycle on a YARTS bus as long as space is available in the bus' undercarriage luggage compartment. Greyhound will not carry bikes.

Existing Mobility Connection Maps

Maps XI and XII show the existing bikeway system relative to the Merced County bus service, Cat Tracks, the Amtrak station, and the Merced Transportation Center. The Transportation Center is the hub location in Merced for the Merced County bus service, YARTS, and Greyhound Bus.

Map X: Existing Transit System



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**ACTIVE
TRANSPORTATION
PLAN**

TRANSIT NETWORK

Existing Bus Transit

Bus Routes

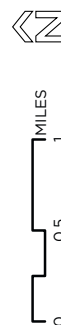
Bus Stops

**DESTINATIONS +
BOUNDARIES**

Park

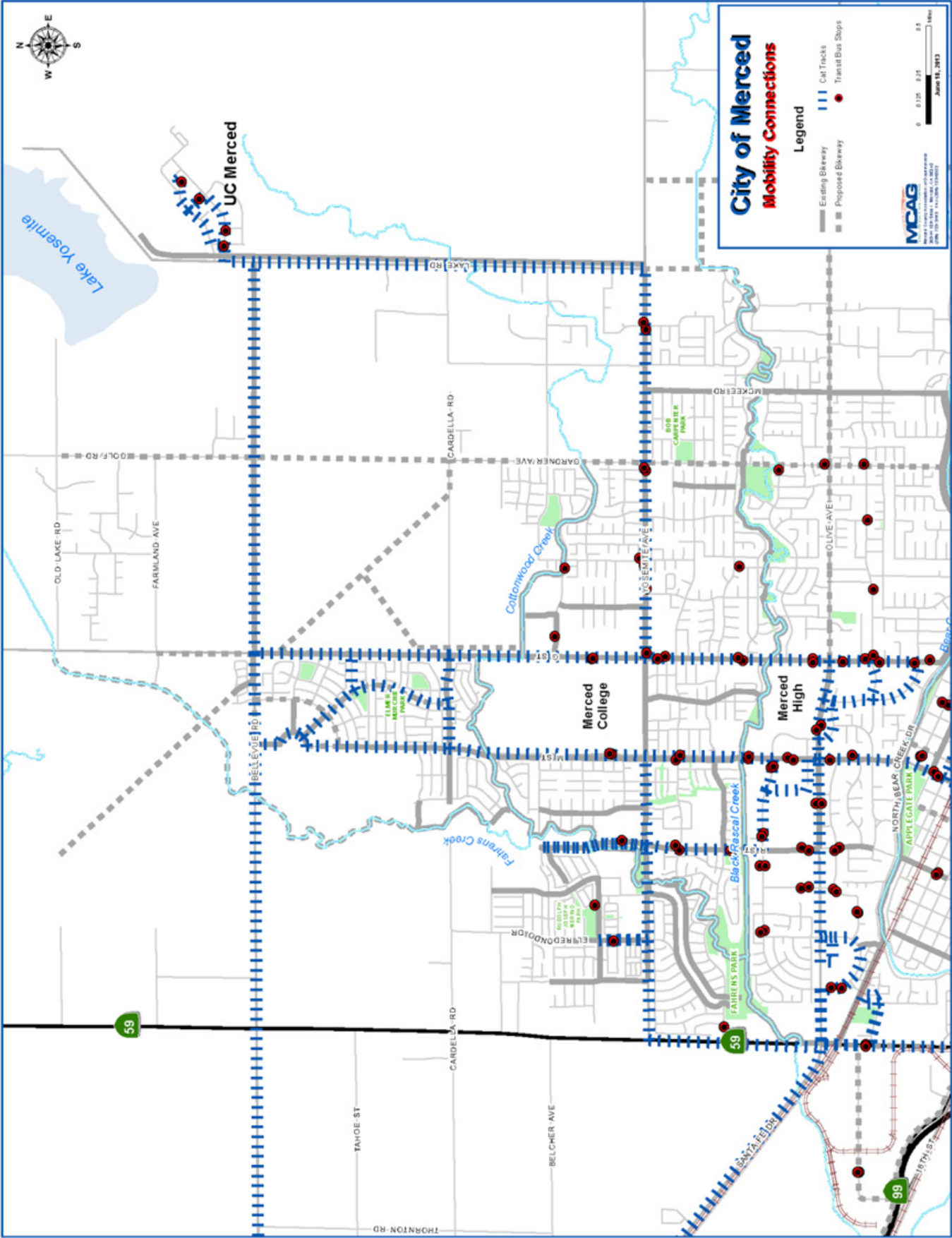
Commercial

Lake

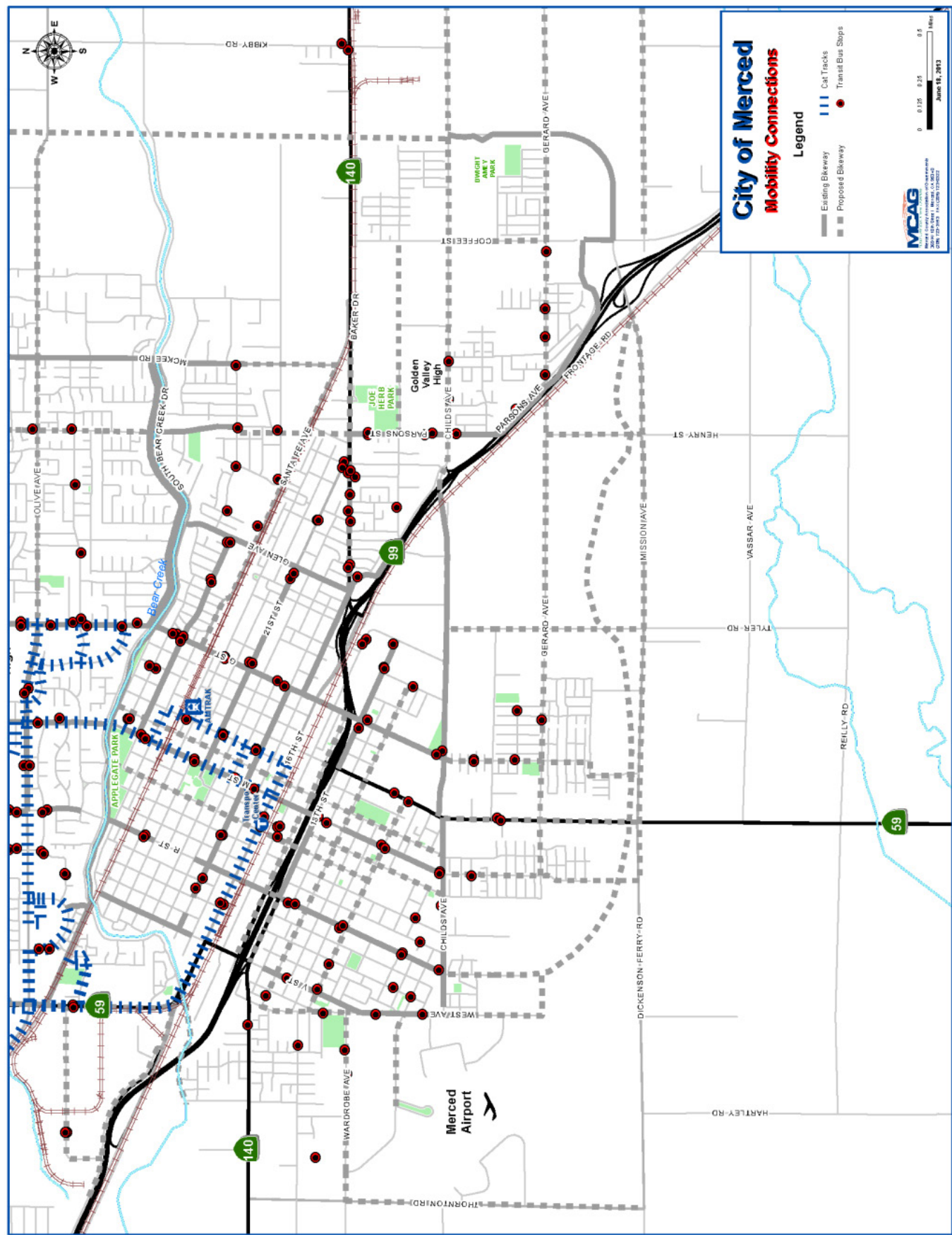


alta Map produced March, 2017.
Data Source: ESRI, City of Merced.

Map XI: Multimodal Connections in North Merced



Map XII: Multimodal Connections in South Merced



Recent Expenditures

Between 2014 and 2017, the City of Merced spent approximately \$2.4 million dollars on active transportation projects. These projects included closing sidewalk gaps and constructing new multi-use paths along Black Rascal Creek, Bear Creek, and SR-59. This cost breaks down to expenditure of about \$588,000 per year over the course of the past four years.

Assuming similar budgetary conditions, if Merced spent the same amount on active transportation per year as they have in the past, it would take about 40 years to fully build out all of the recommendations provided by this plan, excluding the pedestrian study corridors and any improvements recommended by those studies. There are other strategies that can be used to reduce costs including coordinating projects with existing projects or the street resurfacing schedule.

Though every completed project benefits the overall active transportation network, to fully realize the benefits of active transportation, a significant investment must be made. The intended results of the projects recommended in this plan is to transform the pedestrian and bicycle networks into systems that are friendlier and more enticing to active transportation users, beginning to shift people away from personal vehicles. It takes an interconnected, multimodal system to create active transportation-friendly environments. Creating these environments allows key destinations to be linked with residential areas providing equitable and cost-effective access to Merced's most socially, culturally, and economically important places.

Additional funding from local, regional, state, federal, and private grant programs can be used to supplement local funds to expedite the design and construction of these facilities. For more on funding issues, see Anticipated Revenue Sources, Page 89.

Section 4: Hazards



Hazards

Hazards Overview

Collisions

Pedestrian and bicycle collision locations in Merced were analyzed over the most recent five-year period of available data: 2011 to 2015. During this five-year period, 410 collisions were reported involving a pedestrian and/or a bicyclist. Table G provides a snapshot of several key statistics including the total number of injuries and fatalities.

Table G: Collisions Overview

<i>Pedestrian- or Bike-Involved Collisions</i>	<i>Pedestrian Injuries</i>	<i>Pedestrian Fatalities</i>	<i>Bicyclist Injuries</i>	<i>Bicyclist Fatalities</i>
410	177	8	232	2

The collisions in the City of Merced for non-motorized users, shown in Table H, are well-documented and acquired from collision reports from the Merced City Police Department. All of the data for each year captures one whole calendar year with the exception of 2015 which only contains information up to and including April 15th.

Table H: Collisions between Motorized and Non-Motorized Travelers: 2011-2015

	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>
Total Collisions	72	99	86	118	35
-Bikes	48	67	59	81	21
-Pedestrians	24	32	27	37	14
Bike Fatalities	0	0	0	1 ¹	0
Ped Fatalities	0	2 ²	3 ²	3 ²	1 ²

1 Side swiped 2 Jaywaylking

The majority of these collisions are centered in or near the downtown Merced area. The G Street, M Street, 16th Street, and R Street corridors were observed to have the highest concentration of collisions. Of the 410 reported collisions, only one did not result in any injuries or fatalities to pedestrians or bicyclists. Only ten collisions resulted in multiple injuries to pedestrians or bicyclists. Eight incidents involved injuries to two pedestrians and two incidents involved injuries to two bicyclists. No collision resulted in multiple fatalities.

Understanding where collisions occur is important, as this allows the City to target improvements where they are needed most. Additionally, improving pedestrian and bicyclist safety can make these collision hotspots, especially in downtown areas, not only safer but also more attractive for people to visit and enjoy. For more on Collisions, see “Collision Analysis” on page 55.

Barriers

The location and existence of physical and perceived barriers to active transportation is another important aspect to consider. There are two sets of railroad tracks that cut through the City of Merced, boxing in the downtown area on the north and south. Another physical barrier to active transportation is State Route 99, which runs parallel to the southern set of railroad tracks. Even though the highway is grade separated, the underpasses that elevate it impede pedestrians.

A natural barrier, Bear Creek, bisects Merced; crossing the creek can only be accomplished at relatively few crossing points. Ensuring that bridges across Bear Creek have adequate pedestrian and bicycle facilities can encourage additional people to walk and bike across it.

Having safe and comfortable pedestrian and bicycle facilities can also lead to more people walking and biking to transit. Residents, visitors, and students will have many transportation options, with the accessibility to buses, Amtrak, and the future expansion of California High-Speed Rail. See “Multimodal Connectivity” on page 48 for more about multimodal connectivity. For more on barriers, see “Barriers to Active Transportation” on page 70.

Collision Analysis

This section will analyze pedestrian and bicycle collisions in the City of Merced and will identify trends and areas or corridors that should be targeted for active transportation safety improvements. Collisions were analyzed for the five-year period between 2011 and 2015. A bicycle or pedestrian-related collision describes a collision involving a second party, such as a motor vehicle, pedestrian, bicycle, or stationary object. “Second party” can include a stationary object because if the stationary object is damaged in the collision, the person or entity that owns it would be an impacted party. It also can describe a collision without a second party, where the person riding a bicycle has a solo crash due to slippery road conditions or rider error.

Collision data for this section was generated using the Transportation Injury Mapping System (TIMS) from the Safe Transportation Research and Education Center at the University of California, Berkeley and from the California Statewide Integrated Traffic Report System (SWITRS). Because SWITRS combines records from all state and local police departments, data varies due to differences in reporting methods. It is important to note that the number of collisions reported to SWITRS is likely an underestimate of the actual number of collisions that take place because some parties do not report minor collisions to law enforcement, particularly collisions not resulting in injury or property damage.

The analysis of reported pedestrian and bicycle collisions can reveal patterns and potential sources of safety issues, both design and behavior-related. These findings can provide the City of Merced with a basis for infrastructure and program improvements to enhance bicycle safety.

Bicycle-Involved Collisions

Between 2011 and 2015, there were 232 bicycle-involved collisions, shown on Map XIII. These collisions resulted in 232 bicyclist injuries and 2 bicyclist fatalities. While bicyclist collisions did occur throughout the City, there were several corridors that had a relatively high volume of bicyclist-involved collisions. Each of the three corridors below were also in the top three for pedestrian-involved collisions. Table I lists these corridors along with the number of bicyclist-involved collisions. The number of collisions for each corridor includes the number of collisions that occurred both on that street and at intersections that crossed it. When examined over time, bicycle-involved collisions varied between 2011 and 2015, with spikes in 2012 and 2014. The number of bicycle collisions by year is shown in Table J.

Table I: Bicycle-Involved Collisions by Corridor

Corridor	Number of Bicycle-Involved Collisions
M Street	37
R Street	32
G Street	28

Table J: Bicycle-Involved Collisions by Year

Year	Number of Bicycle-Involved Collisions
2011	43
2012	52
2013	37
2014	67
2015	33

High Collision Corridors

The following section will focus on the three corridors with the highest volume of bicyclist-involved collisions: M Street, R Street, and G Street. All three of these corridors already have existing Class II facilities/bicycle lanes. The bicycle lanes on M Street have two gaps, and there are three gaps in bicycle lanes as well as a gap in a segment of Class III bicycle routes on R Street.

M Street

The M Street corridor had the highest volume of bicyclist-involved collisions between 2011 and 2015, with 37 collisions. M Street is a five-lane roadway with two travel lanes in each direction and a center turn lane. In downtown Merced, M Street is near commercial areas and many civic uses and parks including: Court House Square Park, Applegate Park, the Merced Police Department, the County Courthouse, Mercy Medical Center and many others. North of Bear Creek, M Street is near the Olive Avenue commercial area, Merced High School, Rudolph Rivera Intermediate School, and Merced College.

Bicycle-involved collisions on M Street are spread throughout the corridor, but the majority occurred in the downtown area. There are four intersections that had at least three bicyclist-involved collisions reported:

- M Street/Olive Avenue: 5 bicyclist-involved collisions. This intersection is near Merced High School and commercial areas.

- M Street/20th Street: 4 bicyclist-involved collisions. This intersection is near Court House Square Park and many civic uses.
- M Street/Yosemite Avenue: 3 bicyclist-involved collisions. This intersection is near Merced College.
- M Street/23rd Street: 3 bicyclist-involved collisions. This intersection is near civic uses and the northern railroad tracks.

R Street

As described in more detail in the Pedestrian “High Collision Corridors” on page 61 R Street is a large road that generally has two travel lanes in each direction with segments that have a center turn lane. R Street also has schools on or immediately adjacent to it.

Bicycle-involved collisions on R Street were predominantly clustered in two areas: south downtown Merced and between Olive Avenue and Esplanade Drive. Three intersections had at least three bicyclist-involved collisions. All three of these intersections are north of Bear Creek.

- R Street/Olive Avenue: 4 bicyclist-involved collisions. This intersection is near commercial areas.
- R Street/Buena Vista Drive: 3 bicyclist-involved collisions. This intersection is near Fahrens Park, and Rudolph Rivera Intermediate School.
- R Street/Loughborough Drive: 3 bicyclist-involved collisions. This intersection is near commercial areas and Fahrens Park.

G Street

As described in more detail in the Pedestrian “High Collision Corridors” on page 61, G Street is primarily a five-lane road with two travel lanes in each direction with a center turn lane. G Street crosses Bear Creek, and there are a number of schools on or immediately adjacent to G Street.

Bicycle-involved collisions on G Street are scattered throughout the corridor, but there is a stronger clustering of collisions in the downtown area. Four intersections in the corridor had at least three bicyclist-involved collisions reported:

- G Street/21st Street: 5 bicyclist-involved collisions. This intersection is near Yosemite High School and Independence High School.
- G Street/Bear Creek Drive: 4 bicyclist-involved collisions. This intersection is near the O’Sullivan Bike Path and commercial areas.
- G Street/23rd Street: 3 bicyclist-involved collisions. This intersection is near the Amtrak station.
- G Street/Santa Fe Avenue: 3 bicyclist-involved collisions. This intersection is near the Amtrak station and Herbert Hoover Middle School.

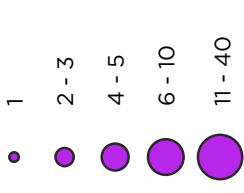
Map XIII: Collisions Involving Cyclists

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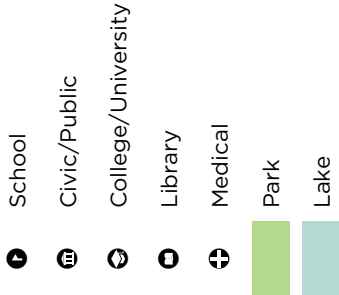
ACTIVE
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PLAN

COLLISIONS

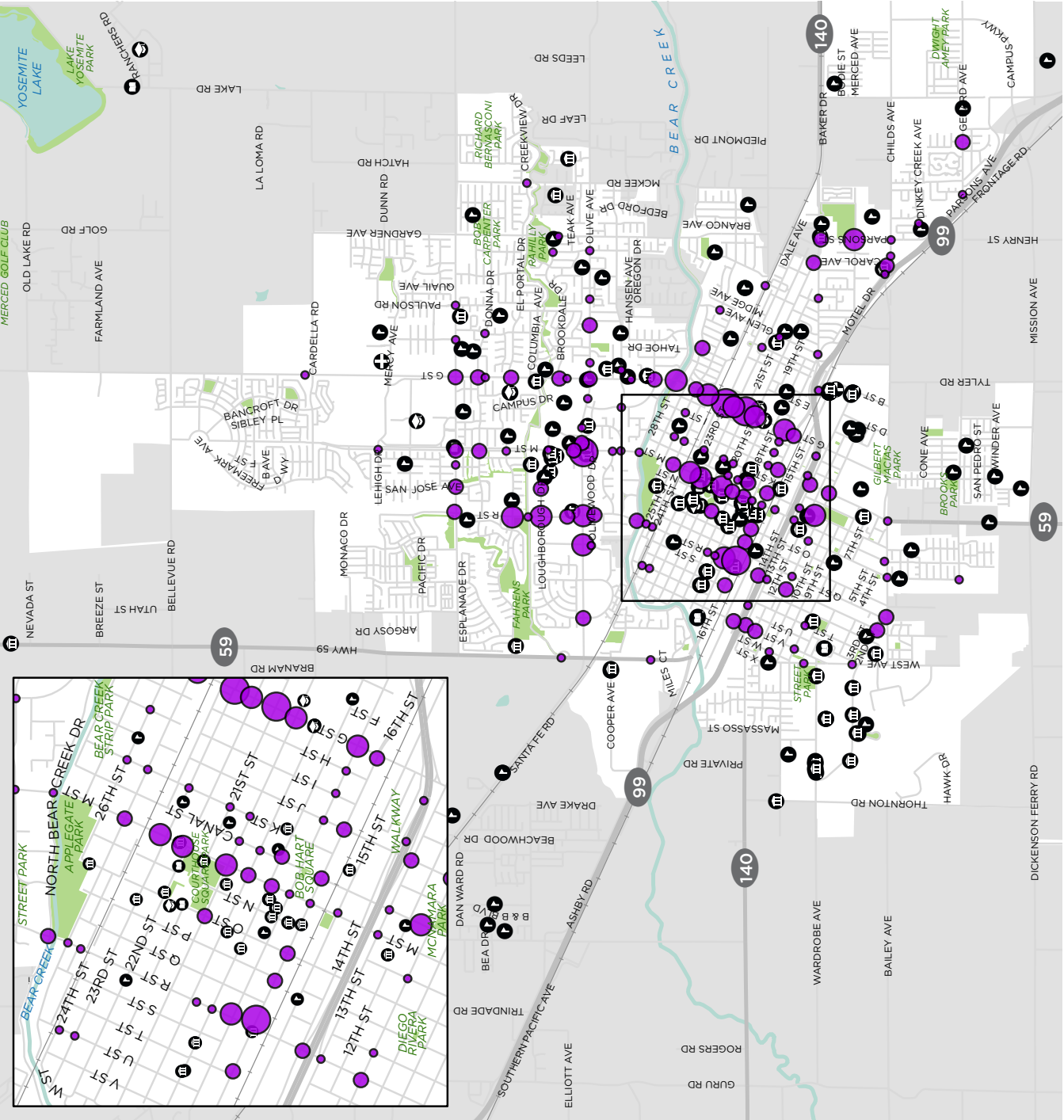
Bicycle Collisions



DESTINATIONS +
BOUNDARIES



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Map produced March, 2017.
Data Source: ESRI, City of Merced,
TMS



Pedestrian-Involved Collisions

Between 2011 and 2015, there were 178 pedestrian-involved collisions, shown on Map XIV. These collisions resulted in 177 pedestrian injuries and 8 pedestrian fatalities. While pedestrian collisions occurred throughout the City, there were several corridors that had a relatively high volume of pedestrian-involved collisions. Table K lists those corridors along with the number of pedestrian-involved collisions on them. The number of collisions for each corridor includes the number of collisions that occurred both on that street and at intersections that crossed it.

Table K: Pedestrian-Involved Collisions by Corridor

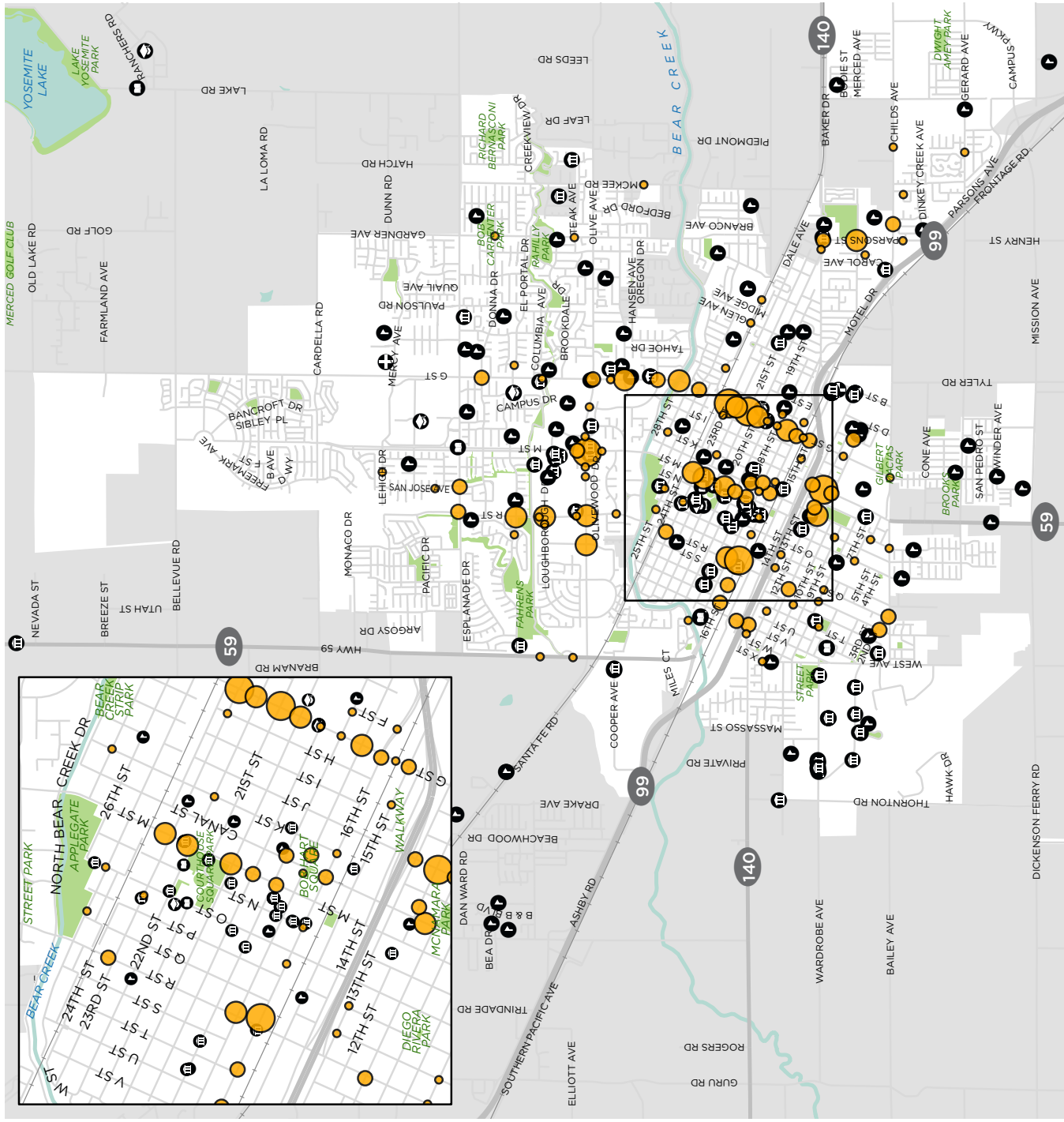
<i>Corridor</i>	<i>Number of Pedestrian-Involved Collisions</i>
G Street	44
R Street	27
M Street	15
Martin Luther King, Jr. Way	9
16 th Street	4
Olive Avenue	4

When examined over time, pedestrian-involved collisions remained relatively stable between 2011 and 2014, but spiked in 2015. The number of pedestrian collisions by year can be seen in Table L.

Table L: Pedestrian-Involved Collisions by Year

<i>Year</i>	<i>Number of Pedestrian-Involved Collisions</i>
2011	31
2012	35
2013	29
2014	33
2015	50

Map XIV: Collisions Involving Pedestrians

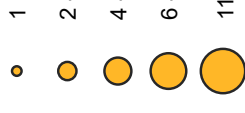


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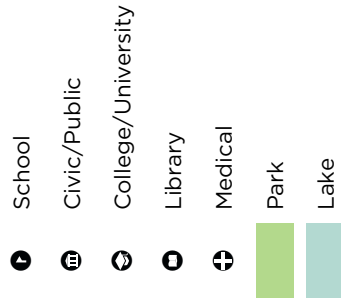
ACTIVE TRANSPORTATION PLAN

COLLISIONS

Pedestrian Collisions



DESTINATIONS + BOUNDARIES



alta Map produced March, 2017.
Data Source: ESRI, City of Merced, TMS

High Collision Corridors

The following section will focus on the two corridors with the highest volume of pedestrian-involved collisions: G Street and R Street.

G Street

The G Street corridor had the highest volume of pedestrian-involved collisions between 2011 and 2015 with 44 collisions. G Street is primarily a five-lane road with two travel lanes in each direction with a center turn lane. G Street is also one of the roads that crosses Bear Creek. There are a number of schools on or immediately adjacent to G Street including: Yosemite High School, Independence High School, Herbert Hoover Middle School, Luther Burbank Elementary School, Merced High School, Herbert H. Cruickshank Middle School, and Merced College. In addition to schools, there are also a number of commercial, medical, and other activity generators along G Street. The High-Speed Rail Station is also planned to be near G Street.

The majority of collisions on G Street occurred in or near downtown Merced, but incidents also occurred on more northern stretches of G Street; including north of Bear Creek. The intersection of G Street and Alexander Avenue recorded 6 pedestrian-involved collisions, the most in the corridor. This intersection is near several commercial areas and Merced High School.

R Street

The corridor that had the second-highest volume of pedestrian-involved collisions was R Street. During the 2011-2015 period, 27 pedestrian-involved collisions were reported along the corridor. R Street is large road, generally with two travel lanes in each direction, with segments that have a center turn lane. R Street also has schools on or immediately adjacent to it including John C. Fremont Charter School and Rudolph Rivera Intermediate School. R Street also serves as the access point for many parks including Applegate Park and Fahrens Park.

Collisions on R Street are distributed throughout the corridor; however, the intersection with the most pedestrian-involved collisions, 16th Street, is in the downtown Merced area. The intersection of R Street and 16th Street had 6 pedestrian-involved collisions reported. This intersection is near commercial areas and the southern set of railroad tracks.

Type of Collisions by Year

Figures 27 through 31 detail the types of collisions that occurred from 2011-2015. The majority of collisions in each year are broadside collisions, with vehicle/pedestrian collisions the next highest percentage. One of the causes of broadside collisions can be vehicles turning without checking to see if a cyclist is in the path of travel. More awareness and education about the presence of and proper behavior around bicycles could reduce the frequency of these kinds of collisions.

Figure 27: 2011 Bicycle and Pedestrian Collisions

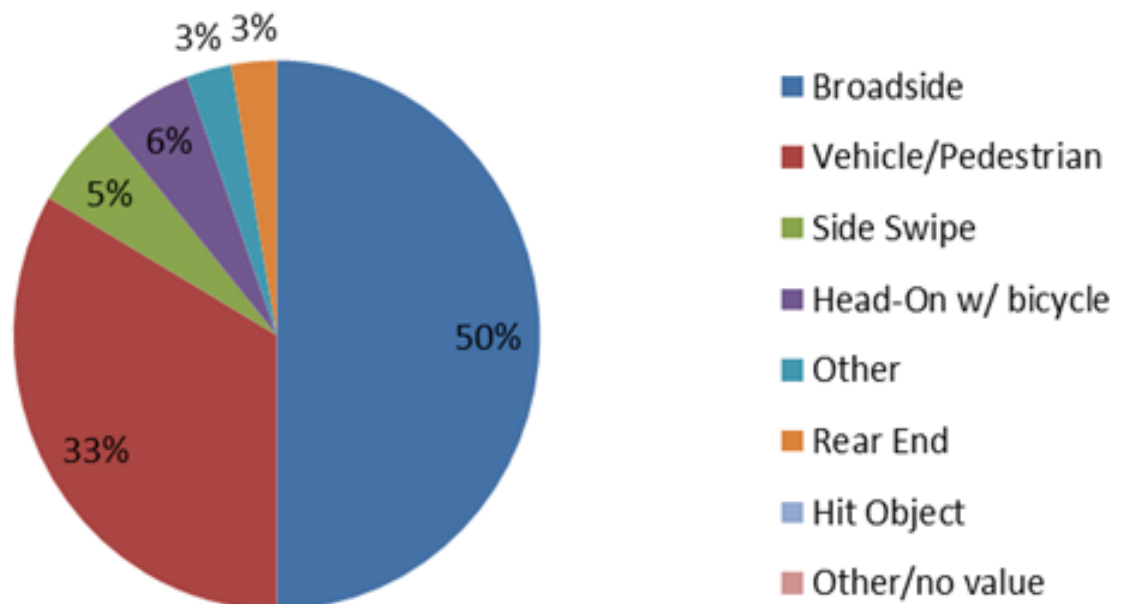


Figure 28: 2012 Bicycle and Pedestrian Collisions

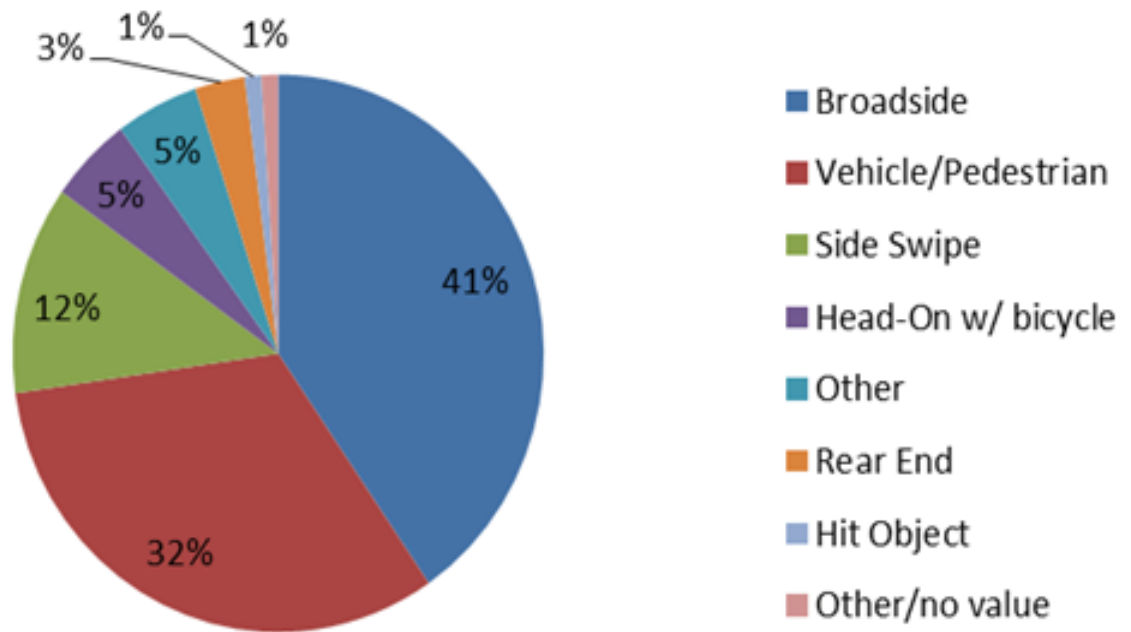


Figure 29: 2013 Bicycle and Pedestrian Collisions

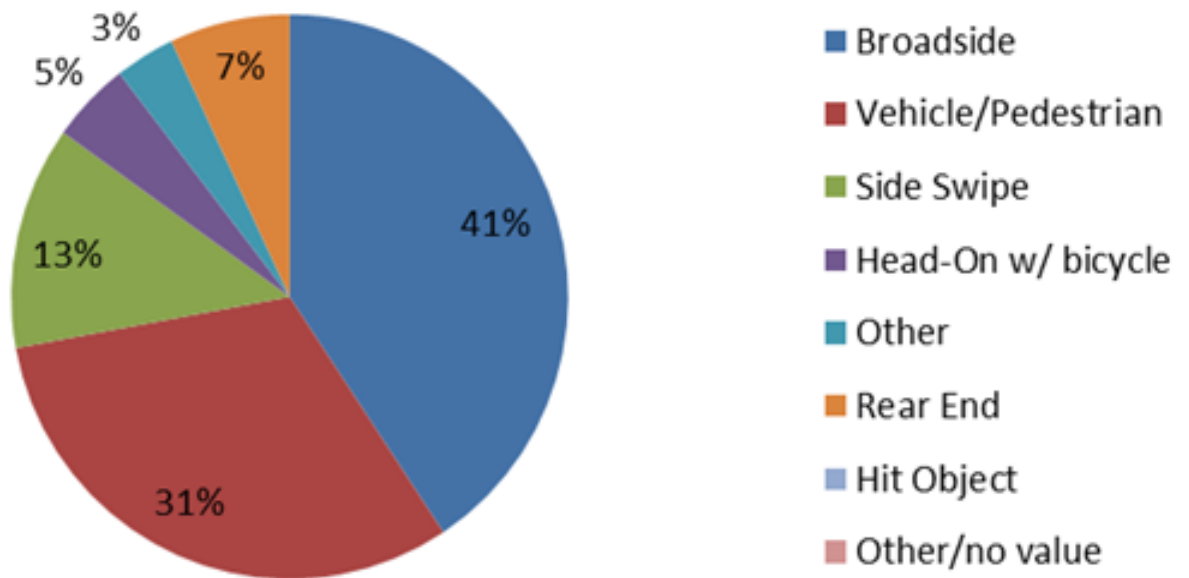


Figure 30: 2014 Bicycle and Pedestrian Collisions

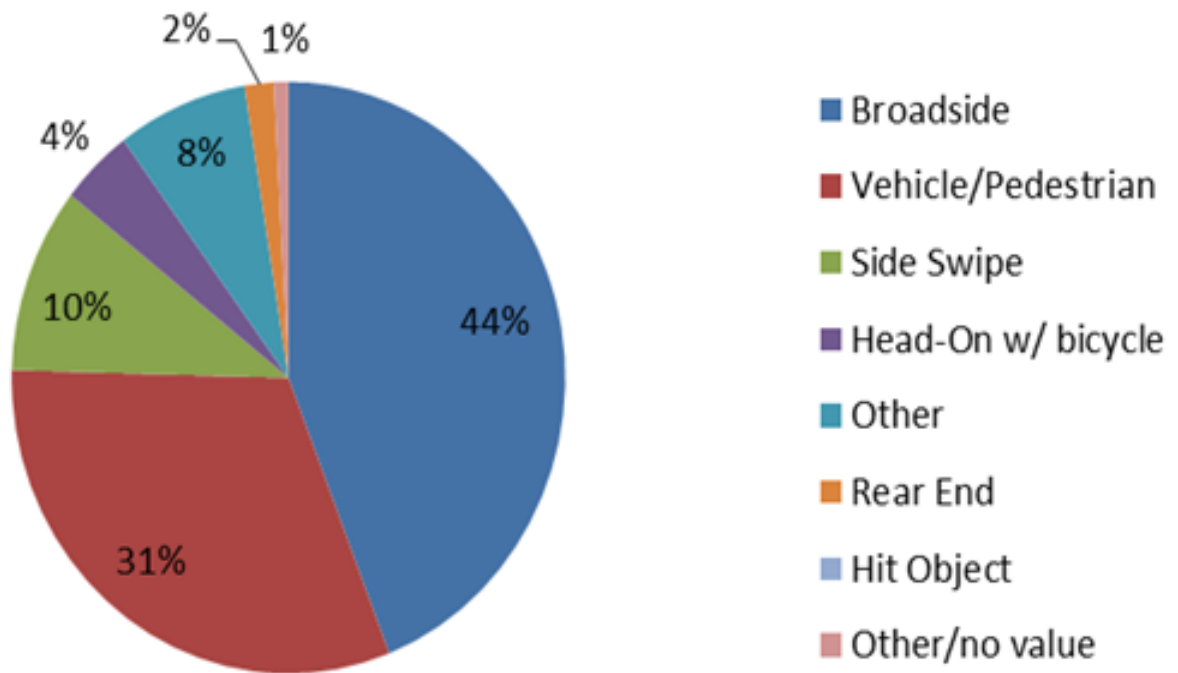
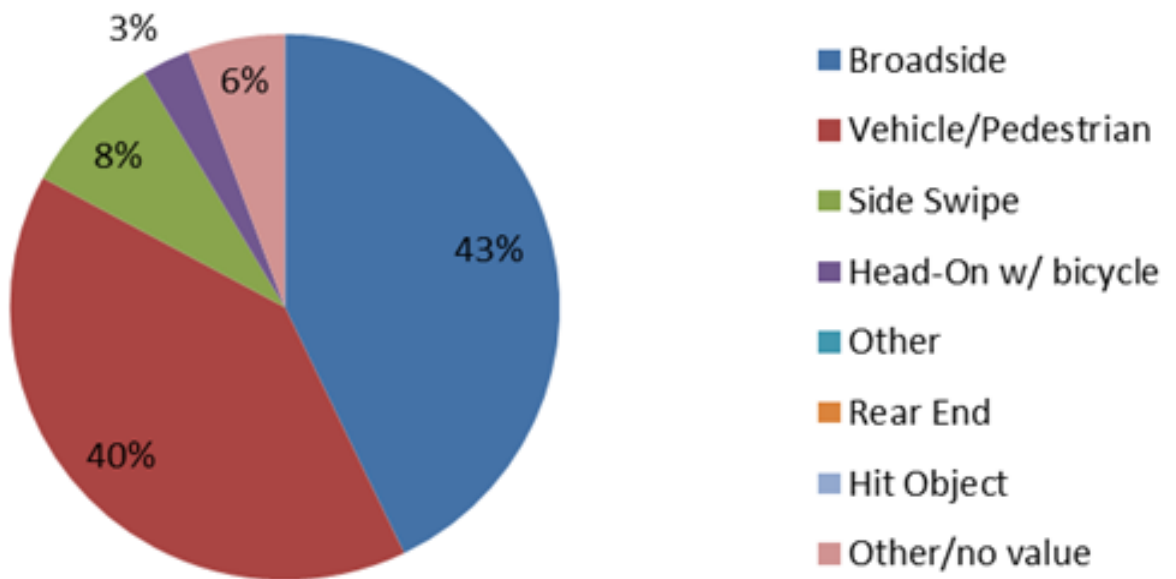


Figure 31: 2015 Bicycle and Pedestrian Collisions



Cause of Collisions by Type

Using 2011-2015 police report data of collisions between motorized vehicles and active transportation users, graphs were created to illustrate the causes of different accident types. This data, along with a greater understanding gained through interviews with safety personnel, will help to identify behaviors, locations, and projects in an effort to reduce collision incidence.

As demonstrated in Figures 32-36, many of these collisions were due to operator behaviors, such as cyclists riding on the wrong side of the road, jaywalking, and driver/cyclist interaction errors. Additional education is a strong method of continuing to reduce these collisions by ensuring all users of transportation know how to properly interact with one another. Additionally, many collisions with active transportation user involvement are a result of facilities that do not provide adequate safety, where bicyclists or pedestrians use improper behavior because it feels more safe. Other such incidents are due to a lack of appropriate facilities, such as jaywalking resulting from marked crossings being too far apart or nonexistent.

Figure 32: Head-On Collisions with Cyclists

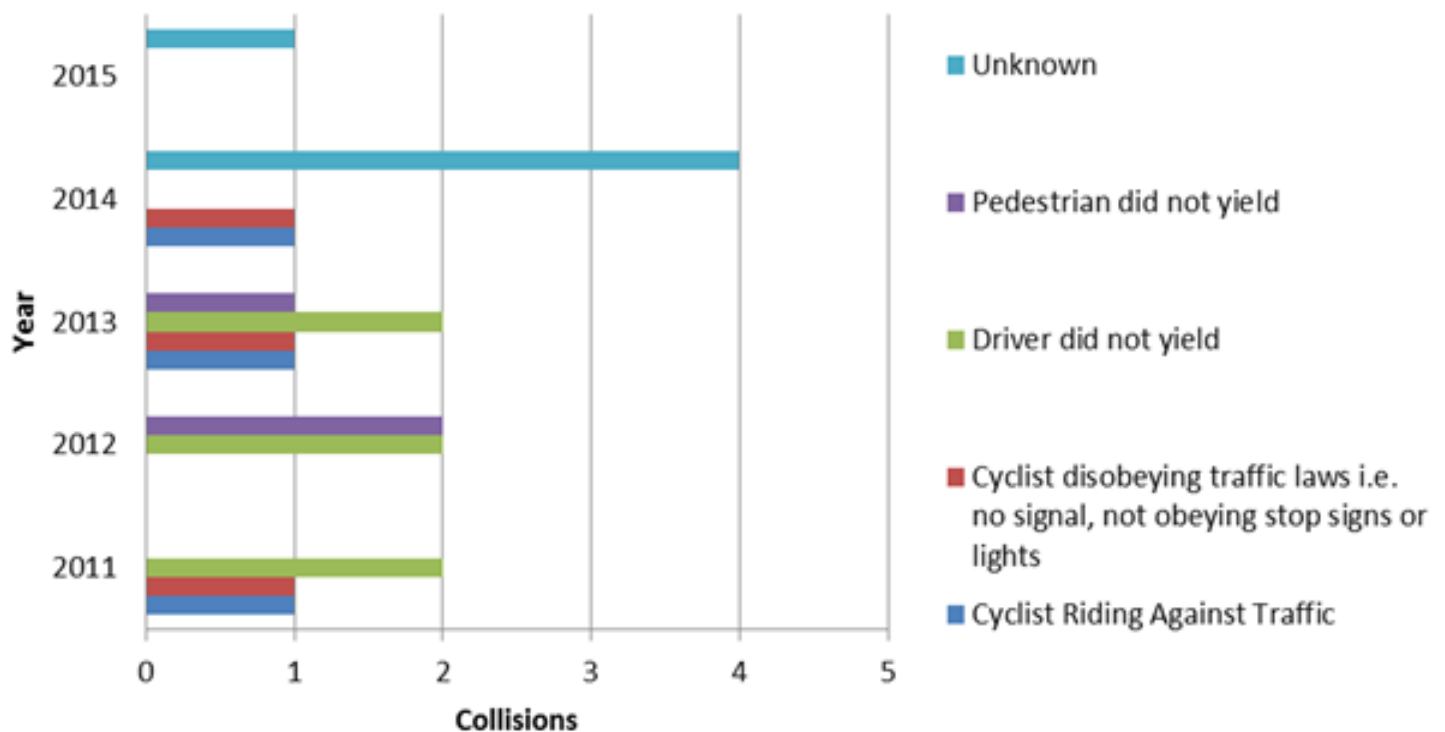


Figure 33: Rear-End Collisions with Cyclists

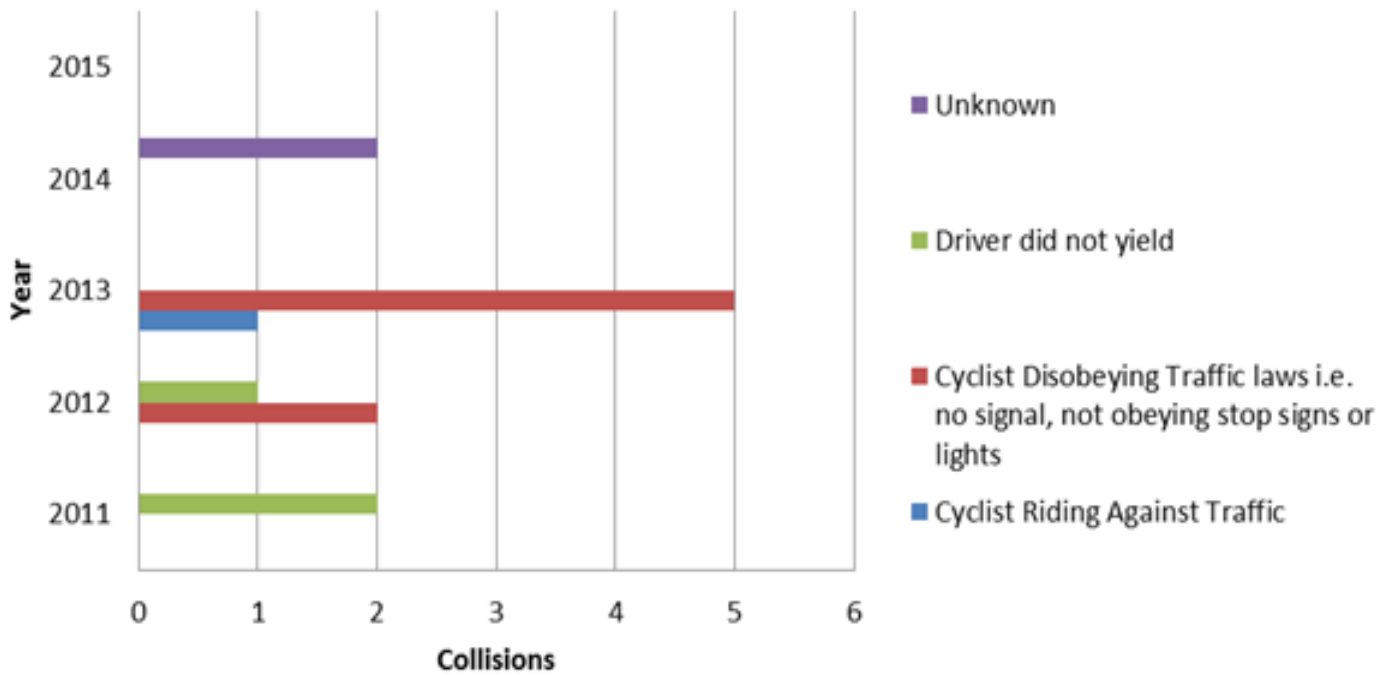


Figure 34: Broadside Collisions with Cyclists

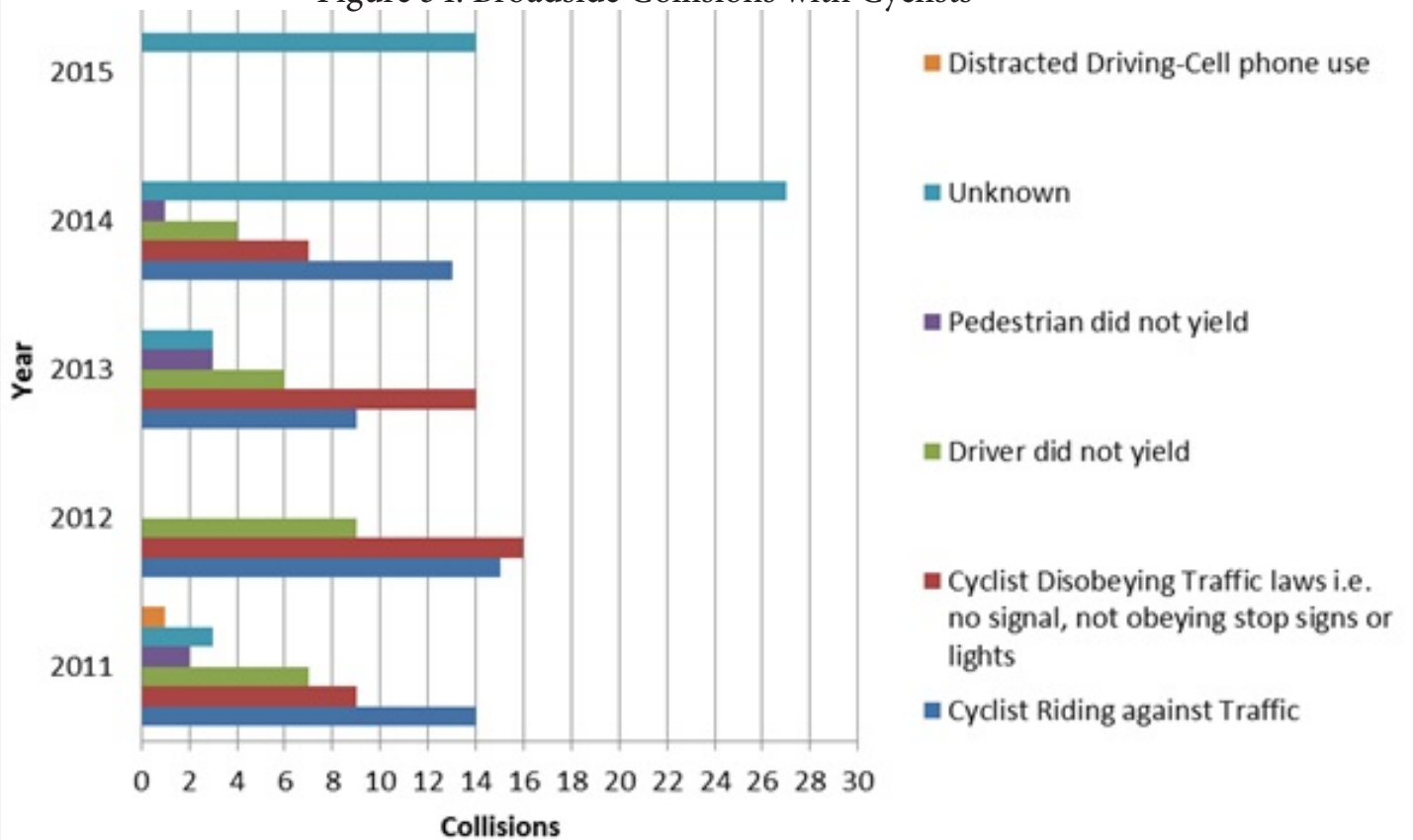


Figure 35: Sideswipe Collisions with Cyclists

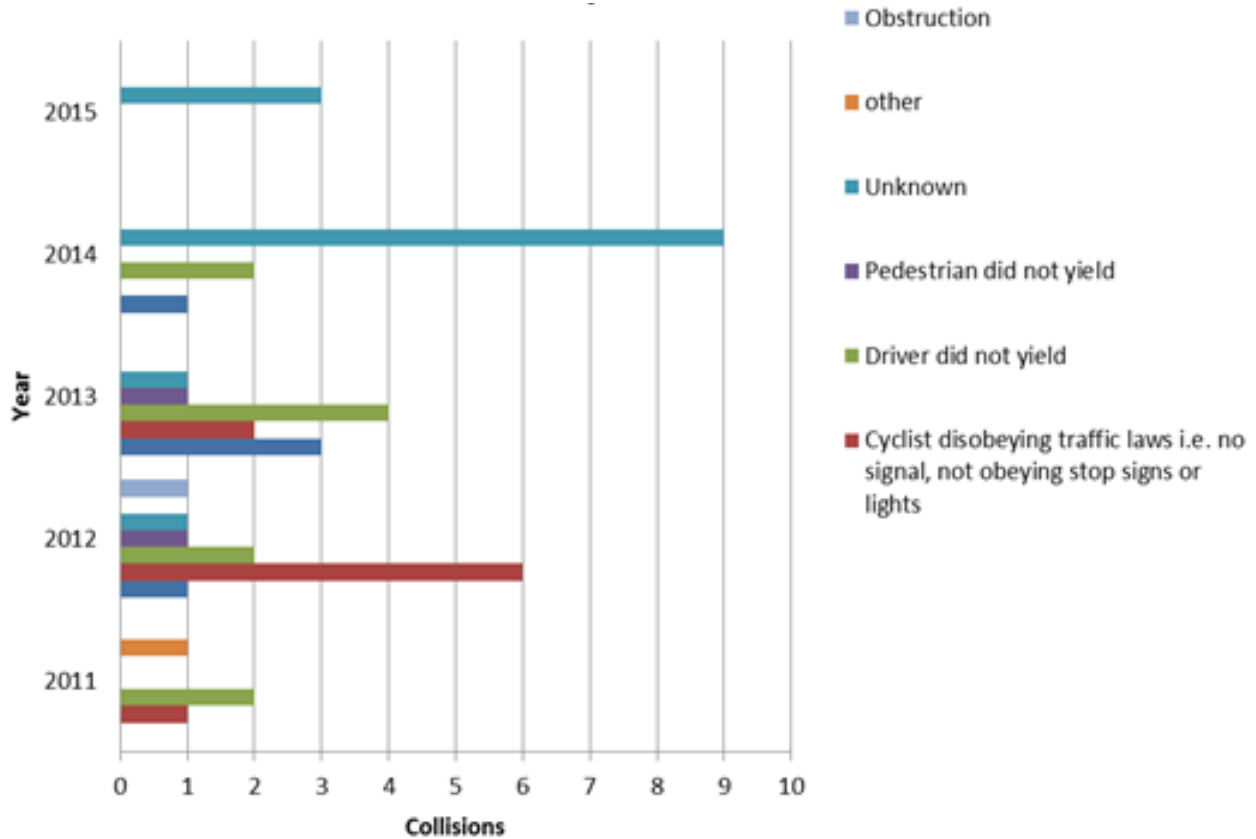
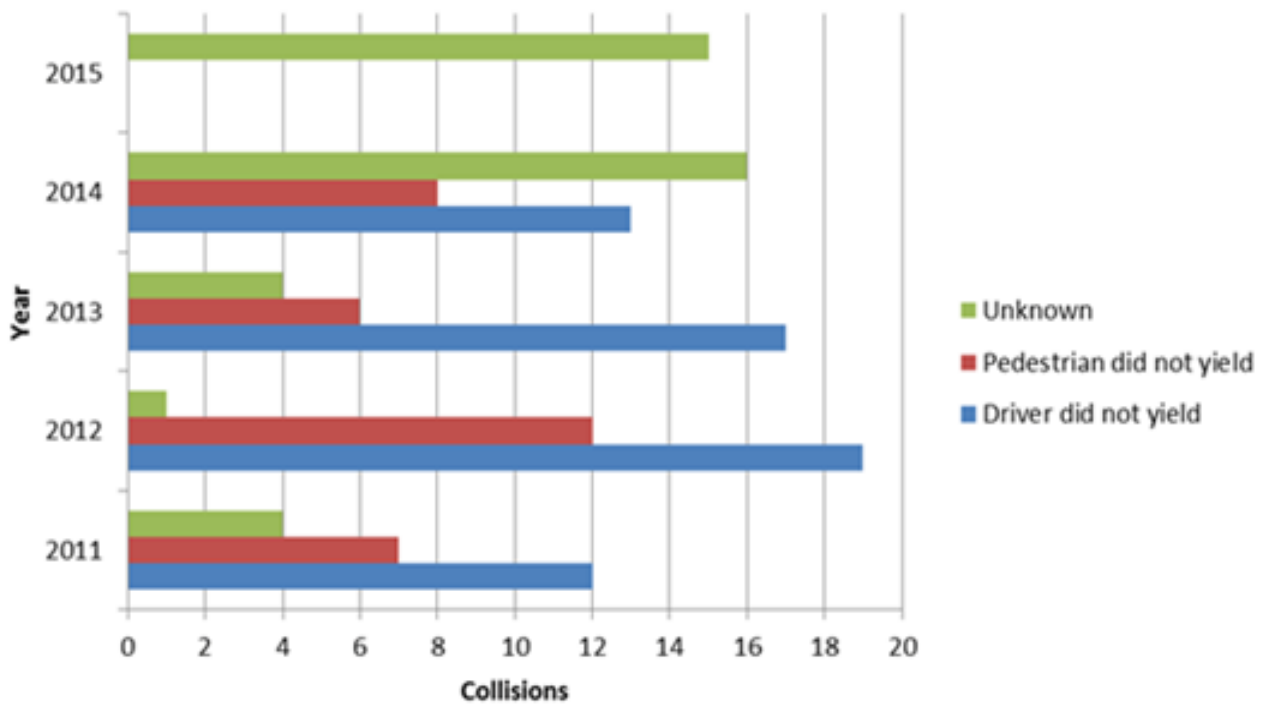


Figure 36: Vehicle-Pedestrian Collisions



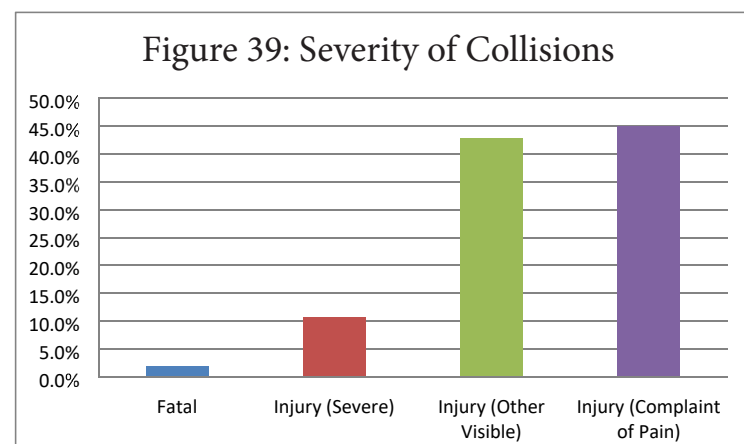
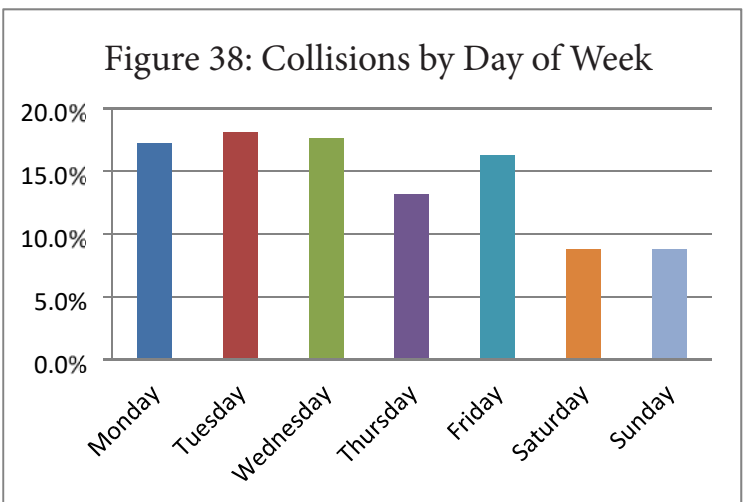
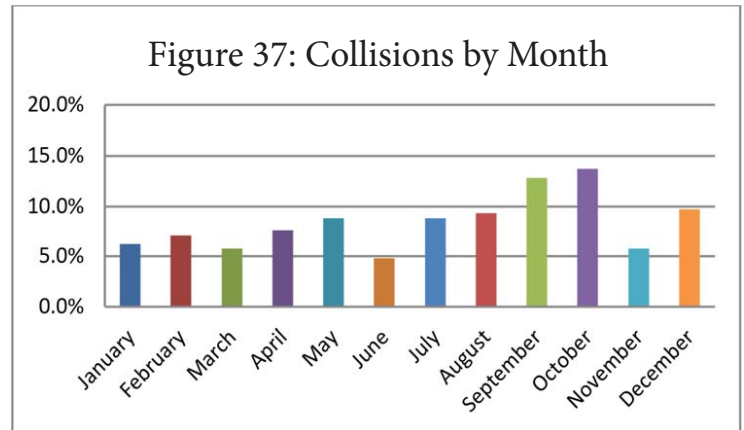
Other Collision Metrics

Merced County agreed to collaborate and analyze collision data to: 1) describe the amount and characteristics of collisions in the City, 2) identify areas of the City with the highest rates of collisions, and 3) identify any systematic factors that might predict a party being at fault in a collision.

To accomplish this, the County acquired data from the Statewide Integrated Traffic Records System (SWITRS), downloaded from Transportation Injury Mapping System (More on TIMS can be found at <https://tims.berkeley.edu/>). These data are based on police reports; only collisions that involved a pedestrian OR a cyclist AND a motor vehicle were selected. 2013 data was the most recent data available.

There were not enough collisions in any one calendar year to perform a meaningful data analysis, so three years of data (2011-2013) were collapsed and used in all subsequent reporting. An important caveat of these data is that these numbers only include collisions that were severe enough to generate a police report. Minor collisions, as well as near misses, are not reported, and are not included in these analyses.

As shown in Figure 37, crashes are fairly equally spread across months, but September and October have the highest numbers of collisions. Weekdays have higher rates of collisions than weekend days, as seen in Figure 38. Figure 39 shows that the majority of collisions resulted in only minor injuries. The data also showed that about half (47.8%) of collisions occurred in an intersection, and the majority of collisions (70.9%) occurred during the daytime.



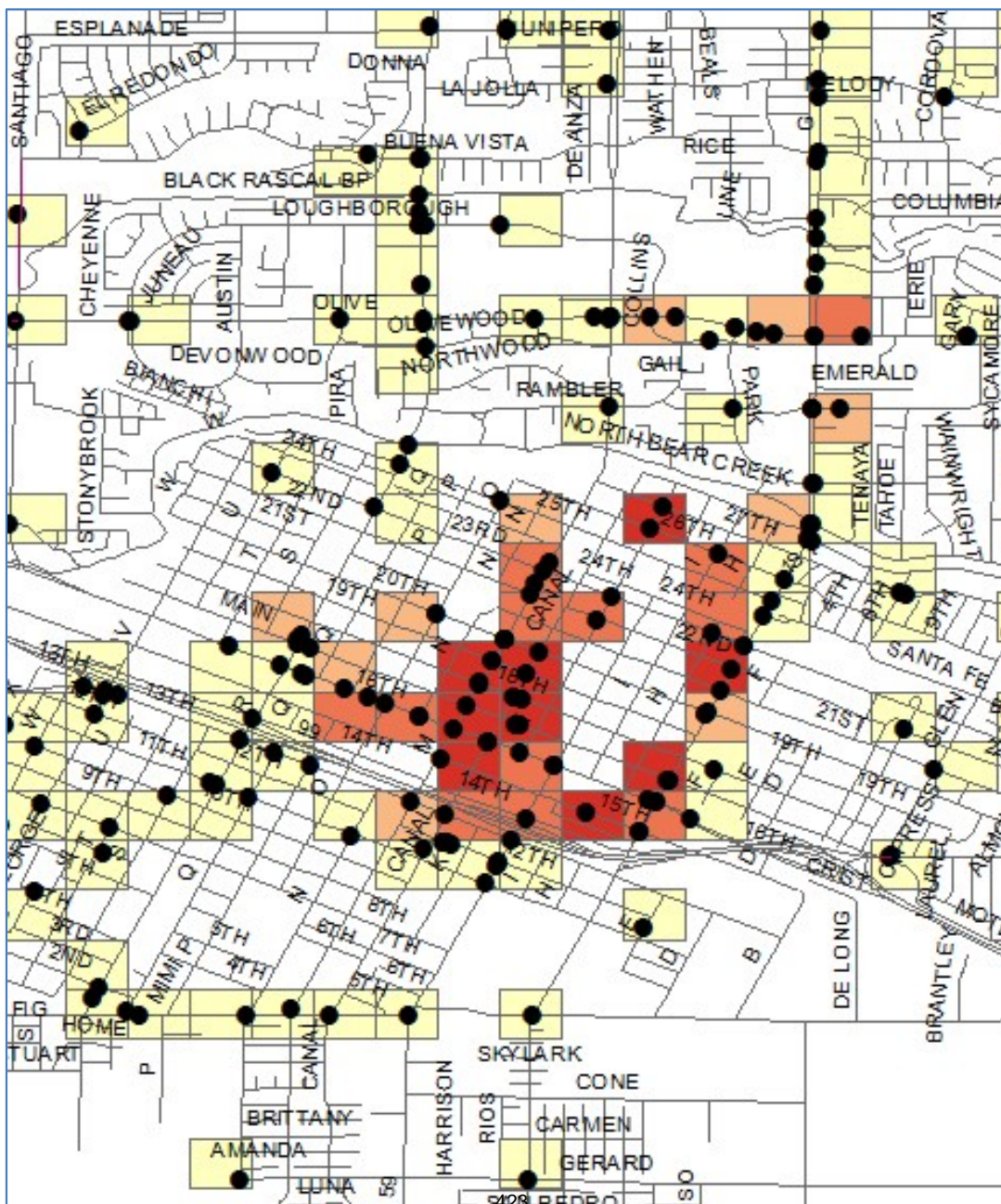
Spatial Analysis

A more detailed spatial analysis identified the most hazardous areas in the City; for this analysis, pedestrian and cyclist collisions were combined. On Map XV below, higher densities of collisions are represented by increasingly red color. The highest density of collisions was the area bordered by 19th Street on the south, N Street on the west, 13th Street on the north and Martin Luther King Jr. Way on the east.

Other statistically significant hot spots include:

- The area bordered by 18th Street on the north, H Street on the west, Highway 99 on the south, and F Street on the east
- G Street between 20th and 22nd Street
- Martin Luther King Jr. Way between 25th Street and 26th Street

Map XV: Collision Hot Spots



Barriers to Active Transportation

In downtown Merced and in many other parts of the city, the grid/modified grid street pattern serves walking and bicycling effectively by allowing these users to travel using a relatively efficient route. However, there are several features scattered throughout the City that act as barriers and deter people from using active transportation, especially walking. There are two sets of railroad tracks that pass in a general east-west direction through the City, and State Route 99 also cuts through Merced near the southern set of railroad tracks. Water features with limited crossing points can also become barriers to walking and bicycling; Bear Creek, for example, has only four major crossing locations.

Particularly as major projects are developed downtown such as the UC Merced Administration Building, the development of major hotels, and the future California High-Speed Rail Station, construction activity provides additional temporary barriers to active transportation. Careful planning and mitigation of the effects of both temporary and permanent barriers is critical for the enticement of users to the Merced downtown core and its many attractions.

Shared Barriers (Pedestrian and Bicycle)

Bear Creek Crossings

While Bear Creek can be a pleasant creek to ride along with trails on both of its banks, crossing the creek can be challenge for pedestrians and bicyclists. There are only four major roads that cross Bear Creek: McKee Road, G Street, M Street, and R Street. While limited crossing points can also be an inconvenience for motor vehicles, using these points can lead to significant out of direction travel and additional travel time and energy spent to cross for people walking and bicycling.

For pedestrians, it is important to ensure the intersection crossings around these creek crossing points have well-marked crosswalks, sufficient levels of illumination at night, and any other necessary treatments to improve pedestrian safety when walking in these areas. For bicyclists, the on-street facilities should be designed to get bicyclists safely to and across these bridges. On McKee and G Street, the Class II bicycle lanes do cross the creek, linking both sides together. However, the Class II and Class III facilities on M Street and R Street are not connected across the creek; leaving those bicycle riders more vulnerable at these important connection points.

Pedestrian-Specific Barriers

Pedestrian Facilities

An analysis of pedestrian facilities was completed to determine where gaps exist in the sidewalk network, and to visualize where marked crossings exist throughout the City. It can be difficult to accurately assess pedestrian facilities at a citywide, macro scale; instead, it is best accomplished by focusing on key areas of pedestrian activity to aid in making the built environment both safer and more attractive to these users.

Downtown Merced, Olive Avenue, the California High-Speed Rail Station, the Amtrak Station, and the transit center are all potential high-volume pedestrian areas, where improvements to pedestrian facilities should be focused to create the largest potential for gains in pedestrian utilization.

In addition to sidewalks and crosswalks, there are many pedestrian amenities that can make walking much more attractive to people, including: shade trees, pedestrian-scale lighting, wayfinding signage, benches, trash cans, other street furniture, increased separation from larger faster moving streets via parkways or trees, and active and visible ground-floor uses.

Street furniture is the collective term for objects placed or fixed in the street for public use, such as benches, bollards, fountains, and waste receptacles. The design and placement of street furniture should take into account aesthetics, visual identity, function, pedestrian mobility and road safety.

State Route 99 Overpasses

State Route 99 cuts through Merced near the southern edge of the downtown. Overpasses can be a major barrier to pedestrians. Overpasses typically are very uninviting spaces, with limited pedestrian facilities and poor lighting; many pedestrians feel unsafe or uncomfortable walking under them. Improving these overpasses would make walking to and from downtown destinations and transit more palatable to many of the residents who live south of State Route 99.

Railroad Crossings

Similar overpasses, railroad tracks can act as a barrier to people walking. Railroad tracks can be a safety hazard; each crossing should be properly marked and have all necessary crossing arms, signals, bells, and lights. Additionally, at crossings near areas with high pedestrian volumes, pedestrian crossing gates or arms should be considered to further improve safety at these locations. California High-Speed Rail will raise the volume of trains passing through these area, increasing the importance of these safety improvements. The corridor on which the trains travel is unlikely to have at-grade intersections with roadways, however the prevention of pedestrians from entering the railway should be a major consideration in its design and implementation. Railroad companies will be an important partner to engage in order to address these needs.

Bicycle-Specific Barriers

Lack of Low-Stress Bikeway Facilities

Creating and maintaining a network of low-stress bikeways, which are facilities that all users regardless of experience level feel comfortable using, is a critical component of both increasing bicyclist safety and attracting new riders. Currently, there are no Class II Buffered Bikeways or Class IV Protected Bikeways within the City of Merced. For more about these facility types, see “Class II- Bike Lane” on page 24 and “Class IV- Separated Bikeway” on page 30. Expanding and upgrading the existing network

with these facilities is the first step to improving riding conditions on larger streets. These two types of facilities provide increased separation between riders and traffic, reducing stress and improving safety for riders.

On narrower, lower-volume, and residential/neighborhood streets, incorporating many of the techniques and features of bicycle boulevards can transform these streets into friendlier places for bicycle riders, pedestrians, and children. Bicycle boulevards are low-volume streets for vehicles on which bicycling is prioritized through signage, limited number of stop signs on the bicycle route, and other features. By attempting to better regulate traffic in residential areas, these treatments focus on reducing speed and cut-through traffic and increase pedestrian and bicyclist visibility. For more details on bicycle boulevards, see “Examples of Bicycle Facilities from Other Communities” on page 29.

Bicycle Theft

Whether resulting from lack of education about proper bicycle security, lack of appropriate facilities to properly secure bicycles, or other factors, bicycle theft can be a major factor in preventing people from cycling. In some cases, theft of a bicycle can cause a cyclist to stop riding altogether, whether from the cost of replacement or the belief that a new bicycle would just be stolen again. It is also important to note that bicycle theft is a frequently underreported crime.

From 2013 to 2018, 876 bicycles have been reported stolen to the Merced Police Department, as shown in Table M. The City of Merced’s policy on mandatory registration of bicycles on a national online database is a first step toward making bicycle theft less prominent and making stolen bicycles easier to identify and recover. See “Bicycle Registration” on page 130 for more details.

Gaps in the Bicycle Network

Having a well-connected bicycle network that connects riders from their residences to employment centers, stores, parks, schools, retail, and other activity generators is critical to attracting riders. Gaps in the network occur when a bike lane or facility stops and there is no indicated route for the bicyclist to continue. These gaps can sometimes leave riders in very vulnerable positions, without a safe or low-stress way to continue through an area to reach their destination. Closing gaps in a bicycle network strengthens the network, improves safety, and increases connectivity between various origins and destinations within the City.

Table M: Reported Bicycle Theft 2013-2018

Year	# of bikes reported stolen
2013	113
2014	153
2015	227
2016	184
2017	99
2018	100

Closing gaps in the bicycle network not only strengthens the network, it also improves safety and increases connectivity within the City. This makes Merced more accessible and attractive to residents and visitors alike.

Section 5: Solutions



Solutions

Overview

This section outlines actions that Merced can take to mitigate identified hazards; these actions include infrastructure improvements and creating programs that can improve the safety and efficiency of walking and bicycling in Merced. Recommendations regarding future policy actions can be found on Page 130. What follows are recommendations for actions to mitigate hazards and foster a safer, more inclusive, and more inviting bicycle and pedestrian network.

Actions for Hazard Mitigation

Throughout Merced, there are areas with high pedestrian-involved and bicycle-involved collisions, as well as physical barriers that limit and discourage walking and biking. The Hazards section on Page 54 identifies high-collision corridors, pedestrian-specific barriers, bicyclist-specific barriers, and shared active transportation barriers. This section proposes actions that should work towards minimizing the effects of these barriers.

Reducing and Eliminating Collisions

Of the 410 active transportation-involved collisions in Merced from 2011 to 2015, 177 pedestrians were injured and eight fatalities occurred. 232 bicyclists were injured with two fatalities. Only one of the 410 collisions did not result in an injury to the pedestrian or bicyclist involved. Ten of those collisions resulted in two active transportation user injuries: eight collisions involved two pedestrians, and two collisions involved two bicyclists. No collision resulted in multiple fatalities. The full collision analysis can be found in the Hazards section, Page 54.

Pedestrian-involved and bicycle-involved collisions were not limited to a single area, making it very difficult to study and improve all collision locations. Prioritizing high collision areas and corridors as well as areas with high volumes of pedestrian and bicycle traffic will be necessary to bring improvements to the areas that need them most.

410^{collisions} occurred
in Merced between
2011 and 2015
involving cyclists
or pedestrians.
Only one of these
collisions did not
result in an injury
to the pedestrian or
bicyclist involved.

Prioritization

The Hazards section identifies several high collision corridors and downtown Merced as areas where collision reduction infrastructure should be implemented first. Pedestrian Collisions were noted as frequent in the G Street, R Street, Martin Luther King Jr. Way, 16th Street, and Olive Avenue Corridors. Bicycle Collisions were noted as frequent in the G Street, R Street, and M Street Corridors.

Many of these streets run through the downtown area, further emphasizing the need for additional pedestrian and bicyclist safety and infrastructure improvements; this area will continue to grow as a location with high volumes of pedestrians and bicyclists. Additionally, transit areas including the future California High-Speed Rail Station should also be prioritized with these active transportation improvements.

Recommendations and Improvements

Utilizing the collision data, among other factors, this ATP is recommending several improvements along identified corridors to improve safety, network connectivity and efficiency, and make it more comfortable and enticing to walk and/or bike around Merced. The list of recommendations for the high priority corridors are shown in Table N, which continues on to the next page.

Table N: Recommendations for Improvements to High Priority Corridors

Type	Project ID	Street	Start	End	Bikeway Type	Distance (miles)
Bike	B9	16th Street	G Street	V Street	Study	1.3
Bike	B40	G Street	Childs Avenue	Mission Avenue	Class II	1
Bike	B41	G Street	11th Street	21st Street	Class II	0.8
Bike	B43	G Street (east side)	Bellevue Road	Farmland	Class II	0.5
Bike	B39	G Street	13th Street	Mercy Avenue	Class IV	3.2
Bike	B57	M Street	M Circle	Barclay Way	Class II	0.2
Bike	B59	M Street	11th Street	21st Street	Class II	0.8
Bike	B60	M Street	16th Street	18th Street	Class II	0.15
Bike	B56	M Street	11th Street	Bear Creek Path	Class IV	1.3
Bike	B73	Olive Avenue	Mckee Road	G Street	Class II	1.4
Bike	B76	Olive Avenue	G Street	Larkspur Avenue	Class II	1.6
Bike	B91	R Street	Childs Avenue	South City Limits	Class II	0.75
Bike	B92	R Street	Childs Avenue	12th Street	Class II	1.4
Bike	B74	Olive Avenue	G Street	R Street	Class IV	0.97
Bike	B75	Olive Avenue	R Street	Austin Avenue	Class IV or Class II	0.45
Bike	B58	M Street	Childs Avenue	Mission Avenue	Class II	1
Bike	B89	R Street	Northwood Drive	Yosemite Avenue	Study	1.1
Bike	B90	R Street	12th Street	Northwood Drive	Study	1.3

Table N, Continued: Recommendations for Improvements to High Priority Corridors

Type	Project ID	Street	Start	End	Bikeway Type	Distance (miles)
Bike	B42	G Street	Childs Avenue	11th Street	Class III	0.32
Bike	B61	M Street	Childs Avenue	11th Street	Class III	0.57
Bike	B107	G Street	"Mercy Hospital Path" (not actual name)	Bike path south of Korbel Ave	Class I	0.27
Bike Spot	BS2	G Street/Brookdale Drive				Bicycle-friendly push-button
Bike Spot	BS2	G Street/Olive Street Intersection				Continue bike lanes to intersection
Ped	P3	Martin Luther King Jr. Way	SR-99/SR-140	Childs Avenue		Traffic calming & crossings
Ped	P4	G Street Corridor in Downtown	SR-140	24 th Street		Traffic calming & crossings
Ped	P6	Olive Avenue	Loughborough Drive	G Street		Crossings
Ped	P7	G Street	Bear Creek Trail	Olive Avenue		Remove slip lane
Ped	P10	M Street				Traffic calming
Ped	P16	M Street Corridor in Downtown	16 th Street	24 th Street		Traffic calming
Ped Spot	PS1	16 th Street/R Street				Crossings
Ped Spot	PS11	G Street/Alexander Avenue				Crossings
Ped Spot	PS12	G Street/Brookdale Drive				Crossings
Ped Spot	PS21	Olive Avenue/M Street				Crossings
Ped Spot	PS22	R Street/Loughborough Drive				Remove slip lane & crossings
Ped Spot	PS23	R Street/Yosemite Avenue				Crossings
Ped Spot	PS24	R Street/Childs Avenue				Crossings
Ped Spot	PS25	R Street/21 Street				Beacon adjustments
Ped Spot	PS29	G Street railroad tracks underpass				Lighting
Ped Spot	PS31	M Street/Cartmell Drive				Lighting
Ped Spot	PS37	M Street/Main Street				Crossings

Pursuing the above recommendations along with other improvements will reduce hazards and barriers, improve safety, and create a stronger, more connected active transportation network.

Reducing the Impact of Barriers

Many factors, both physical and mental, play a role in shaping the active transportation network and how users do or do not interact with it. Street grid design, physical barriers, mental barriers, collision history, and perceived safety are all relevant factors.

Street Grid

While a common barrier in many cities, Downtown Merced and other parts of the city are laid out in a grid/modified grid street pattern that generally serves pedestrian and bicycle movements and access very well.

Physical Barriers

In Merced there are geographic and built environment features that can deter walking and bicycling. Some barriers affect both pedestrians and bicyclists, and others may only affect one mode. These barriers are discussed in greater detail in “Barriers” on page 55, but are mentioned below with potential actions to mitigate the effects of these barriers.

Shared Pedestrian and Bicyclists Barriers

Michael O’Sullivan Path (Bear Creek Path): The Michael O’Sullivan Path is an east-west path that follows Bear Creek. Many segments of the creek have paths on both of its banks; however, crossing the creek can be challenging for pedestrians and bicyclists because of limited crossing points. With only four roads that cross the creek (McKee Road, G Street, M Street, and R Street), active transportation users must share these crossing points with vehicles.

Having on-street facilities is important for bicyclists, as they utilize the same network that motor vehicles do. Currently the Class II bike lanes and Class III bike route on M Street and R Street, respectively, do cross Bear Creek, but the bike facilities on McKee Street and G Street do not cross the creek. Only one of these four crossing points has dedicated bicycle facilities. These other three crossings should be improved to incorporated Class II facilities, at minimum, to better facilitate and entice bicycle travel across the creek; this will benefit O’Sullivan Path riders and other bicyclists. The connections between the creek access/egress point should be well-designed and easy to navigate for riders of all ages and abilities.

For pedestrians, it is important to ensure that there are marked intersection crossings immediately adjacent to creek access/egress points near those four streets that do cross the creek. These crossings should be marked with high visibility crossings and enhanced with additional safety features (curb extensions, leading pedestrian interval, etc.) when necessary to further improve safety. Ensuring that these crossings and their approaches are well-lit is also very important. Because there are so few crossing points, enhancing these four locations should be a high priority.

Bicycle-Specific Barriers

Generally speaking, traffic calming and other pedestrian improvements tend to also benefit bicyclists because these improvements slow traffic and increase driver awareness of the presence of other modes. However, because bicyclists typically ride in the roadway, they may have additional route flexibility than pedestrians who are generally limited to sidewalks. Thus, the following bicycle barriers reflect macro-level bicycle network characteristics that act as barriers for riders and potential riders.

Lack of Low-Stress Bikeway Facilities: Low-stress bikeways, facilities that all users feel comfortable using regardless of age, experience, or ability, are a key component of increasing bicyclist safety and the perception of safety. Currently in Merced, there are no Class II buffered bike lanes or Class IV separated bikeways, some of the most notable low-stress facilities. Expanding the existing bicycle network and upgrading existing facilities to have increased levels of separation is the first step to creating a safer network for riders of all ages and abilities on arterials and larger collector streets.

Incorporating the traffic calming treatments of low-stress facilities like bicycle boulevards can help transform narrower residential, neighborhood, and urban village streets into safer places for motorists, pedestrians, cyclists, and children playing. Bicycle boulevards are streets on which active transportation is prioritized through attempting to better regulate vehicle traffic in these residential areas by implementing treatments that focus on reducing speed and cut-through traffic, while increasing pedestrian and bicyclists awareness and visibility. For more on bicycle boulevards, see “Examples of Bicycle Facilities from Other Communities” on page 29.

Gaps in the Bicycle Network: Having a well-connected bicycle network that links riders from their residences to employment centers, stores, parks, schools, retail centers, and other activity generators is critical to attracting riders and giving them safe connections between these locations. Gaps in the network occur when a bike facility stops and there is no indicated route for the rider to continue along. Sometimes these gaps can be large or leave riders in very vulnerable situations without a low-stress way continue through an area to reach their destination. Closing gaps in a bicycle network strengthen the network, improve safety, and increase connectivity throughout the city.

Merced currently has no Class II buffered bike lanes, Class IV separated bikeways, or bicycle boulevards. These facilities are low-stress facilities, ones that users feel comfortable using regardless of age, experience, or ability.

Pedestrian-Specific Barriers

Sidewalks and Sidewalk Gaps: At a citywide level, it can be very difficult to address and prioritize sidewalk gaps and issues. As a part of the *Active Transportation and Safe-Routes-to-School Plan*, a sidewalk gap analysis was completed to document where there are gaps in the sidewalk network. Similar to other improvements, sidewalk gaps should be prioritized in key pedestrian locations like downtown, commercial centers, transit stops/stations, and other high-volume pedestrian areas.

Unlike other active transportation improvements, funding for sidewalk construction and replacement can often be charged to adjacent property owners, though this can be very burdensome for some property owners. Cities across the state and across the country have created cost sharing programs between the local municipality and the property owner to share costs of these improvements as needed.

State Route 99 Overpasses/Underpasses: State Route 99 cuts through Merced near the southern edge of downtown. Generally speaking, overpasses are not inviting spaces, because they have limited pedestrian facilities, poor lighting, and are places where pedestrians generally feel less comfortable walking. Designing and retrofitting over/underpasses with enhanced pedestrian facilities can help build stronger connections across this highway. This also creates a better connection between the southern part of the city and downtown. The importance of this connection across the highway will grow in importance after the opening of the California High-Speed Rail Station and other developments.

Railroad Crossings: There are two sets of railroad tracks that are barriers to walking. These tracks can pose a strong safety hazard; each track should be properly marked and have all the necessary crossing arms, signals, bells, and lights. Additionally, at crossings near areas with or the potential to have high volumes of pedestrians, pedestrian crossing gates and arms should be considered for additional awareness and safety. California High-Speed Rail will increase the volume of trains passing through the tracks near downtown; if these crossings are not grade separated, they should be enhanced to the extent possible to maximize pedestrian awareness and safety.

Mental Barriers and Perceptions of Safety

In addition to the aforementioned physical and infrastructure barriers, both existing and potential riders have perceptions about bicycling or the network that may discourage riding or lead to riders taking indirect or less efficient routes. Some of these mental barriers relate directly or indirectly to the above physical barriers, and others likely stem from overall perceptions of the built environment or bicycling in Merced. Understanding perceptions of the public is also important because these perceptions affect travel behavior and choices; if someone does not feel comfortable walking or biking somewhere, if they have other options, they are likely going to choose the one they feel more comfortable doing.

Mental barriers prevent or limit potential riders and even seasoned cyclists from biking in Merced. Highway crossings, railroad crossings, collision history, and the overall condition and buildout of the bikeway network are possible contributors to these mental barriers. Perceptions, accurate or not, play a major role in shaping transportation behavior and choices. Bicycling can be viewed as a risky form of transportation; high collision history and lack of separated bikeways likely play a major role in generating this perception. Enacting a Vision Zero campaign and building bike facilities that calm traffic and provide greater levels of separation are good first steps to combating these perceptions. Improving infrastructure to mitigate the effects of physical barriers like highways and railroad tracks will also be important to begin the process of shifting perceptions.

Vision Zero is a multi-national road traffic safety project that aims to achieve a highway system with no fatalities or serious injuries involving road traffic. Merced formally supporting Vision Zero would be a commitment to positive change in the coming years.

Safety

When discussing active transportation, the perception of safety can relate to two primary concepts: traffic safety and criminal safety. Traffic safety perception relates to whether a person believes they will get involved in a collision or whether they have a safe route to their destination. Criminal safety perception relates to whether the area a person wishes to traverse is well lit, whether other people pass through the area, whether the area has a history of crime, and generally whether the person feels safe traveling there. For both of these types of safety, especially the latter, perceptions matter for transportation decision making.

Building out well-connected and inclusively-accessible bicycle and pedestrian infrastructure in key areas can create a network that users will feel safer and more comfortable using. While criminal safety is much harder to control and change, there are design and infrastructure considerations that Merced can implement to try to shift the perception. Improving both street-level and pedestrian-level lighting in downtown, transit areas, and key active transportation areas will benefit all users by improving visibility and awareness. Ground floor facades and uses play a role in how pedestrians interact with and perceive a street. In busy and popular areas, having a visible police presence can also help shift the safety perception.

Section 6: Implementation



Implementation

This section provides information on potential construction costs for recommended bicycle and pedestrian improvements; the costs for which are broken down below. Additionally, Federal, state, regional, and local government agencies, as well as private foundations, invest billions of dollars every year in the nation's transportation system that can help fund these improvements.

Cost Assumptions

Bikeway Unit Facility Costs

Table O shows conceptual unit cost estimates for bikeway facilities. These costs include estimated costs for mobilization, traffic control, earthwork, utility coordination, and grading. Cost assumptions do not include site-specific factors that may increase actual costs; these costs also do not include construction management, design, contingency, or staff time. Costs estimates are shown in 2018 dollars are rounded to the nearest \$100. Actual costs may vary significantly.

Table O: Conceptual Unit Costs for Bikeways

Facility	Unit¹⁷	Cost	Notes & Assumptions
Class I Path	MI	\$590,000	8' asphalt path
Class II Lanes	MI	\$44,000	Striping, signs, and stencils for both sides of road
Class II Buffered Lanes	MI	\$110,000	Striping, signs, and stencils for both sides of road
Class III Route	MI	\$9,000	Signs for both sides of road
Class III w Shared Lane Markings	MI	\$16,000	Signs and stencils for both sides of road
Class III Bicycle Boulevard	MI	\$43,000	Signs, stencils, striping, and road diet techniques
Class IV Separated Lanes	MI	\$330,000	Striping, signs, stencils, and separation devices, for both sides of the road

Pedestrian Unit Facility Costs

Table P shows conceptual unit cost estimates for pedestrian facilities. These costs included estimated costs for mobilization, traffic control, earthwork, utility coordination, and grading. Cost assumptions do not include site-specific factors that may increase actual costs; these costs also do not include construction management, design, contingency, or staff time. Costs estimates are shown in 2018 dollars are rounded to the nearest \$100. Actual costs may vary significantly.

17 Abbreviations for units in this section are as follows. MI: Mile, EA: Each, LF: Linear Foot

Table P: Conceptual Unit Costs for Pedestrian Facilities

Facility	Unit	Cost	Notes & Assumptions
Curb Extension	EA	\$30,000	Per extension – double if adding curb extension on both ends of crosswalk
Curb Ramp	EA	\$4,000	Per directional ramp
High Visibility Crosswalk w/ Advance Line	EA	\$2,800	Continental markings with advance stop bar or yield line
Pedestrian Scale Lighting	MI	\$2,178,000	12'-15' tall lightposts spaced 30'-45' apart; both sides of street
Raised Crosswalk	EA	\$8,000	Speed table and high visibility crosswalk markings
Raised Intersection	EA	\$50,000	
Pedestrian Actuated Beacon	EA	\$25,000	Includes two beacon and sign assemblies, for both sides of road
Sidewalk	LF	\$170	4' sidewalk including 6' curb and gutter; one side of road
Sign	EA	\$500	Includes post
Speed Feedback Sign	EA	\$16,000	One assembly
HAWK/Pedestrian Hybrid Beacon	EA	\$100,000	Includes signals, sign assemblies, and pole
Leading Pedestrian Interval	EA	\$20,000	Assumes sufficient existing signal technology. Costs are mostly for labor and planning.
Transverse Crosswalk	EA	\$1,200	Transverse crosswalk markings with advance stop bar or yield line
Striping	LF	\$3	4' thermoplast
Study	EA	\$100,000	Future study for stop sign warrants, parking removal, road diet, traffic impacts, or other additional analysis

Cost Estimates

Bikeway Costs

This *Active Transportation and Safe-Routes-to-School Plan* is proposing 90.4 miles of enhanced and new bikeways throughout Merced. More specifics regarding the proposed projects are available in "Bicycle Prioritized Projects" on page 113. In total these bikeways have a total estimated cost of \$14,131,000. A breakdown of facility costs by bikeway type can be seen in Table Q.

Table Q: Cost of Proposed Bikeways in Merced

Facility	Unit	Cost/Mile	Miles of Facilities	Cost per Facility Type
Class I Path	MI	\$590,000	16	\$9,440,000
Class II Lanes	MI	\$44,000	50.1	\$2,204,400
Class II Buffered Lanes	MI	\$110,000	5.5	\$605,000
Class III Route	MI	\$9,000	0	\$0
Class III w/Shared Lane Markings	MI	\$16,000	4.9	\$78,400
Class III Bicycle Boulevard	MI	\$43,000	9.7	\$417,100
Class IV Separated Lanes	MI	\$330,000	4.2	\$1,386,000

Implementing this network of bicycle facilities represents a significant expenditure for the City of Merced, and will be completed over time as funding, staffing, and planning processes dictate.

About two-thirds of the costs of these improvements, \$9,440,000, are for Class I facilities, the most expensive facility type on a per mile basis and the facility type with the second-most miles of recommendations. Over 20 years, it would require \$472,000 per year to implement these facilities. This represents the costs of the improvements to Merced's off-street network.

\$14.1^{million}
*of bicycle facilities
are recommended
in this plan. Over 20
years, it would cost
\$706,550 per year
to implement these
facilities.*

The remaining bikeway recommendations constitute enhancements and additions to Merced's on-street network, consisting of Class II, III, and IV facilities, including bike boulevards. For more about each facility type see "Bicycle Facilities" on page 22. These facilities would require approximately \$4,691,000 total, or \$234,550 per year over 20 years.

This plan is proposing 9.7 miles of bicycle boulevards and 4.2 miles of separated bikeways. These are the lowest stress facilities and provide the greatest traffic calming and bicyclist separation. Combined, these facilities have a cost of \$1,803,100. Implementing these facilities would require an investment of about \$90,155 over the course of 20 years.

Pedestrian Costs

This *Active Transportation and Safe-Routes-to-School Plan* is proposing 50 pedestrian improvements throughout Merced. These recommendations vary between specific spot improvements to corridor-wide changes. At the "master plan" level, it is impossible to detail specific intersection or crossing improvements at each of these identified areas. In some cases, based on Merced staff and public input, specific improvements have been recommended. In other cases, studies have been suggested to fully analyze the area to determine the most appropriate improvements.

Studies

On a project-by-project basis, 26 of the pedestrian improvements fell into the "Study" category. For simplicity and cost savings, some of these studies have been combined into larger, more topical groups.

Highway & Rail Crossings

Highway and railroad crossing improvements are the largest grouping of pedestrian improvement studies, with six projects falling into this category. Depending on the City's needs, these crossings can be analyzed with individual studies, by grouping similar locations, or through one holistic study. The cost of the analysis will vary depending on the scope and number of crossings included.

Corridor Studies

Multiblock segments or corridor-wide studies were recommended for seven corridors. These corridors were reported to have characteristics that did not create a friendly pedestrian environment. A corridor study will be able to sufficiently analyze existing conditions, interact with the public, and produce improvements that will benefit the users of these roads. The following corridors were proposed for studies:

- G Street in Downtown
- 12th Street from E Street to M Street
- Olive Avenue from G Street to Loughborough Drive
- Childs Avenue entire corridor
- M Street in Downtown
- 26th Street entire corridor
- 9th Street from V Street to M Street

The cost of each of these studies will vary by the length of segment under study and other public engagement and traffic/parking studies that may need to be included. For smaller corridor segments, these may cost less than \$100,000, but longer and more complex corridors may cost more. These costs do not account for engineering and design plans, specifications, and estimates nor do they include the installation of whatever infrastructure the studies may recommend.

Downtown

The Plan is also recommending a pedestrian facilities study in the downtown Merced Area. The public indicated that there are multiple streets, intersections, and locations that can be challenging and uninviting for pedestrians. This study can incorporate the work of some of the aforementioned Corridor Studies such as G Street, M Street, and potentially others. Such a plan would also be beneficial to improving access to transit.

Intersection

There are four (4) additional intersections that were brought forward by the public that needed pedestrian improvements. These locations are in complex environments, that require additional study or additional infrastructure beyond the spot location to improve transportation conditions.

- 11th Street and V Street
- Santa Fe Avenue and 6th Avenue
- 8th Street and P Street
- Parsons Avenue and Merced Avenue

Transit

There was one transit-related pedestrian spot improvement, a study for a potential bus pull-in near Alicia Reyes Elementary School and Golden Valley Health Centers.

Accessibility

This plan is also recommending three different accessibility studies. The three studies can be conducted separately or as a larger accessibility study. The three areas to study are:

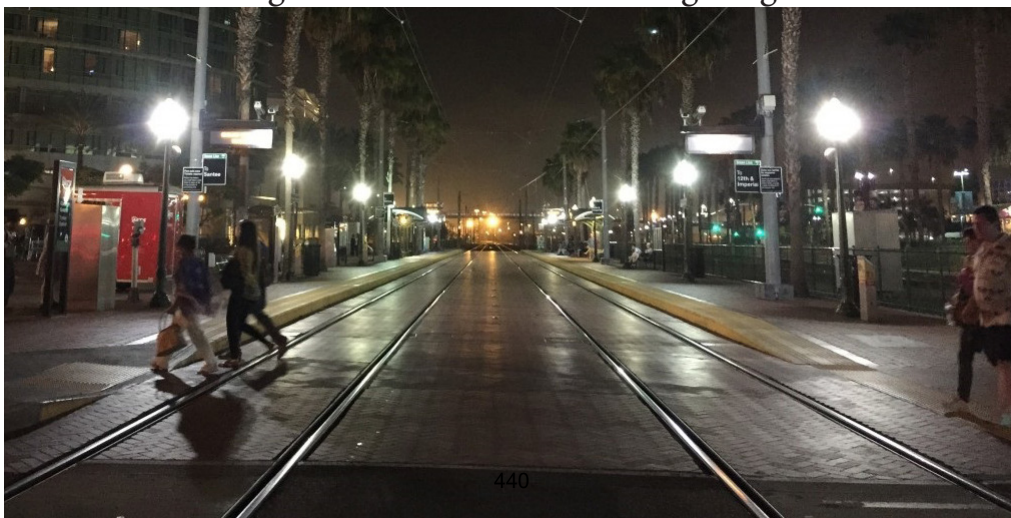
- Bear Creek Path: Assess accessibility issues
- Citywide: Curb inventory to determine and prioritize locations without curb ramps and other accessibility issues
- Citywide: Conduct an inventory of bus stops throughout the City to determine what accessibility and pedestrian enhancements can be made

Pedestrian Spot Improvements

There are 28 pedestrian spot improvements that have specific recommendations. These recommendations vary in size and complexity from simply striping high visibility crosswalks, to larger construction projects such as adding pedestrian-scale lighting or sidewalks. Using the cost estimates listed in the above tables, about \$9.4 million dollars of improvements have been recommended.

Pedestrian-Scale lighting differs from traditional street lighting in a number of ways. The lights are closer to the ground and are grouped together more closely. This creates an even lighting of the sidewalk, as opposed to traditional street lighting which creates alternating bright and dark spaces. Pedestrian-scale lighting typically uses white light, rather than yellow light, to be more inviting to pedestrians. The light fixtures also tend to come in interesting and attractive shapes. An additional benefit of pedestrian-scale lighting is that, like other street furniture, it alerts drivers to be ready to encounter pedestrians.

Figure 40: Pedestrian-Scale Lighting



\$6.5 million of the recommendation is from two projects that together have about 3.16 miles of pedestrian-scale lighting included. Pedestrian-scale lighting, an example of which is shown in Figure 40, is very expensive; it is projected to cost over \$2 million per mile.

The remaining 26 pedestrian spot improvements total to roughly \$2.9 million. There are about 7,500 linear feet of sidewalk construction included, which accounts for \$1.3 million of that \$2.9 million. Accounting for the most expensive improvements, sidewalks and pedestrian-scale lighting, there are \$1.6 million worth of other improvements. Table R breaks down the costs of these improvements by improvement type.

Table R: Cost Breakdown of Pedestrian Improvements

<i>Facility</i>	<i>Unit</i>	<i>Cost</i>	<i>Amount of Facilities</i>	<i>Cost of Facilities</i>
Curb Extension	EA	\$30,000	24	\$720,000
High Visibility Crosswalk w/ Advance Line	EA	\$2,800	64	\$179,200
Pedestrian Scale Lighting	MI	\$2,178,000	3.16	\$6,882,480
Pedestrian Actuated Beacon	EA	\$25,000	5	\$125,000
Sidewalk	LF	\$170	8,093	\$1,357,810
HAWK/Pedestrian Hybrid Beacon	EA	\$100,000	1	\$100,000
Leading Pedestrian Interval	EA	\$20,000	4	\$80,000
Curb Ramps	EA	\$4,000	4	\$16,000

The total investment of \$9.4 million for all non-study projects equates to an expenditure of \$470,000 over 20 years. Removing the costs of sidewalks and pedestrian-scale lighting, that is an investment of \$1.6 million. Over 20 years, that would equate to an expense of \$80,000 per year.

\$9.4 million of pedestrian facilities, not including studies, are recommended in this plan. Over 20 years, it would cost \$470,000 per year to implement them.

Site Feasibility

Projects recommended to improve the safety and connectivity of the active transportation network throughout Merced exist at many levels of difficulty, cost, and feasibility. Some are simple fixes, implementable when streets are repaved through striping plans. Some are longer-term, higher-difficulty projects requiring installation of new sidewalks along key corridors. Alongside the project prioritization analysis, this site feasibility analysis recommends a high-level assessment of priority projects to better understand project constraints and develop an implementation strategy.

Feasibility Assessment Tool

Table S shows a simple, high-level analysis tool that the city can use to develop a snapshot of project feasibility to assist with implementation decisions. While additional analysis may be required to fully assess a project, this tool provides a relatively quick analysis for a wide array of projects, to allow a holistic assessment of a project list. The table presents a summary of the feasibility scoring values. The total possible score is 50 points, with High Feasibility ranging from 35-50 points, Moderate Feasibility from 20-30 points, and Lower Feasibility from 0-15 points.

Table S: Feasibility Assessment Tool

Criteria	Definition	Rank	Measurement	Points
Natural Features	Does the project intersect a wetland, floodplain, or critical habitat area?	High	Does not intersect natural feature	10
		Low	Does intersect natural feature	0
Railroad Crossing	Does the project intersect railroad corridors?	High	Does not intersect railroad corridor	10
		Medium	Intersects at existing at-grade crossing	5
		Low	Requires new at-grade crossing	0
Bridge Crossing	Does the project require a bridge crossing?	High	Does not require a bridge crossing	10
		Medium	Crosses a bridge but does not require expanding width	5
		Low	Requires expansion of bridge width	0
Cost	What range does the expected cost fall within?	High	Project can be accomplished through existing maintenance/operations budget	10
		Medium	Project costs under \$150,000	5
		Low	Project costs \$150,000 or more	0
Right of Way (ROW)	Does the project require ROW acquisition?	High	Project does not require ROW acquisition	10
		Low	Project requires ROW acquisition	0

Local conditions evolve over time, so the feasibility assessment tool is best utilized when the city is working to ascertain what projects to pursue in the near term, and how to create a long-term implementation plan for the full project list. Accordingly, it is recommended that the projects deemed “high-priority” in the prioritization process be assessed by City staff to help determine next steps for pursuing funding and folding projects into the CIP.

Anticipated Revenue Sources

Below is information on potential funding sources for bicycle and pedestrian improvements. Private foundations, as well as Federal, state, regional, and local government agencies invest billions of dollars every year in the nation's transportation system. Only a fraction of that funding is used in development projects, policy development, and planning to improve conditions for pedestrians and bicyclists. To support agency efforts to find outside funding sources to implement bicycle and pedestrian improvements, a summary by level of government and grant program is provided below.

Federal Sources

Fixing America's Surface Transportation (FAST Act)

The FAST Act, which replaced Moving Ahead for Progress in the 21st Century Act (MAP-21) in 2015, provides long-term funding certainty for surface transportation projects, meaning states and local governments can move forward with critical transportation projects with the confidence that they will have a Federal partner over at least the next five years.

The law makes changes and reforms to many federal transportation programs, including streamlining the approval processes for new transportation projects and providing new safety tools. It also allows local entities that are direct recipients of Federal dollars to use a design publication that is different than one used by their State DOT, such as the Urban Bikeway Design Guide by the National Association of City Transportation Officials. More information can be found at <https://www.transportation.gov/fastact>. In California, FAST money flows through the state Active Transportation Program (ATP), managed by the California Department of Transportation (Caltrans).

Surface Transportation Block Grant Program (STBGP)

STBGP provides states with flexible funds which may be used for a variety of highway, road, bridge, and transit projects. A wide variety of bicycle and pedestrian improvements are eligible including trails, sidewalks, bike lanes, crosswalks, pedestrian signals, and other ancillary facilities. Modification of sidewalks to comply with the requirements of the Americans with Disabilities Act (ADA) is also an eligible activity. Unlike most highway projects, STBGP-funded pedestrian facilities may be located on local and collector roads which are not part of the Federal-aid Highway System.

Fifty percent of each state's STBGP funds are sub-allocated geographically by population. These funds are funneled through Caltrans to the Metropolitan Planning Organizations (MPOs) in the state. The remaining 50 percent may be spent in any area of the state. Merced County Association of Governments (MCAG) is the local MPO for Merced County.

The Surface Transportation Block Grant Program (STBGP) has a set-aside funded at \$835 million for 2016 and 2017, and \$850 million for 2018, 2019, and 2020. Up to 50 percent of the set-aside is able to be transferred for broader STBGP eligibility.

Improvements eligible for this set-aside include Safe-Routes-to-School and the Recreational Trails Program. These funds may be used for a variety of pedestrian and streetscape projects including sidewalks, multi-use paths, and rail-trails.

Non-profit organizations are now eligible to apply for funding for transportation safety projects and programs, including Safe-Routes-to-School programs and bike share. In California, STBGP funds are distributed through the State Transportation Improvement Program. Set-aside funds are to be distributed through the ATP program.

405 National Priority Safety Program

Approximately \$14 million from this program annually, 5 percent of the \$280 million allocated to the program overall, will be awarded to states to decrease bike and pedestrian crashes with motor vehicles. States where bike and pedestrian fatalities exceed 15 percent of their overall traffic fatalities will be eligible for grants that can be used for:

- Training law enforcement officials on bicycle/pedestrian related traffic laws
- Enforcement campaigns related to bicycle/pedestrian safety
- Education and awareness programs related to relevant bicycle/pedestrian traffic laws

Accessing money from this program is based on statewide eligibility. In California, these monies can be accessed through grants from the California Office of Traffic Safety.

Highway Safety Improvement Program (HSIP)

HSIP provides \$2.4 billion nationally for projects that help communities achieve significant reductions in traffic fatalities and serious injuries on all public roads, bikeways, and walkways. Non-infrastructure projects are no longer eligible. Eligible projects are no longer required to collect data on all public roads. Pedestrian safety improvements, enforcement activities, traffic calming projects, and crossing treatments for active transportation users in school zones are examples of eligible projects. All HSIP projects must be consistent with the state's Strategic Highway Safety Plan (SHSP).

Congestion Mitigation and Air Quality Improvement Program (CMAQ)

CMAQ provides funding for projects and programs in air quality nonattainment and maintenance areas for ozone, carbon monoxide, and particulate matter which reduce transportation related emissions. These federal dollars can be used to build pedestrian and bicycle facilities that reduce travel by automobile. Purely recreational facilities generally are not eligible.

To be funded under this program, projects and programs must come from a transportation plan or State or Regional Transportation Improvement Program that conforms to the SIP and must be consistent with the conformity provisions of Section 176 of the Clean Air Act. States are now given flexibility on whether to undertake CMAQ or STBGP-eligible projects with CMAQ funds to help prevent areas within the state from going into nonattainment. Areas in nonattainment are considered to have air quality worse than the National Ambient Air Quality Standards. An area may be a nonattainment area for one pollutant and an attainment area for others.

In Merced County, CMAQ funding is administered through the Merced County Association of Governments (MCAG) on the local level. These funds are eligible for transportation projects that contribute to the attainment or maintenance of National Ambient Air Quality Standards in nonattainment or air-quality maintenance areas. MCAG receives about \$3 million annually of apportioned CMAQ funding. Examples of eligible projects include enhancements to existing transit services, rideshare and vanpool programs, projects that encourage pedestrian transportation options, traffic light synchronization projects that improve air quality, grade separation projects, and construction of high-occupancy vehicle (HOV) lanes. Projects that are proven to reduce direct particulate matter emissions, specifically PM_{2.5}, are to be given priority.

PM^{2.5} refers to atmospheric particulate matter that have a diameter of less than 2.5 micrometers, about 3% the diameter of a human hair. These fine particles are a dangerous air pollutant so small that they can only be detected with an electron microscope.

State Sources

Active Transportation Program

In 2013, Governor Brown signed legislation creating the Active Transportation Program (ATP). This program is a consolidation of the Federal Transportation Alternatives Program (TAP), California's Bicycle Transportation Account (BTA), and Federal and California Safe-Routes-to-School (SRTS) programs. It is a program of the California Transportation Commission administered by Caltrans Division of Local Assistance, Office of Active Transportation and Special Programs. The Merced ATP leveraged a successful grant for *Active Transportation and Safe-Routes-to-School Plan* creation.

The Active Transportation Program goals include:

- Increase the proportion of trips accomplished by biking and walking
- Increase safety and mobility for non-motorized users
- Advance the active transportation efforts of regional agencies to achieve greenhouse gas reduction goals
- Enhance public health
- Ensure that disadvantaged communities fully share in the benefits of the program
- Provide a broad spectrum of projects to benefit many types of active transportation users

The most recent California Transportation Commission (CTC) ATP Guidelines are available at: <https://catc.ca.gov/programs/active-transportation-program>

Eligible bicycle and Safe-Routes-to-School projects include:

- Infrastructure Projects are Capital Improvements that will further program goals. This category typically includes planning, design, and construction.
- Non-Infrastructure Projects include education, encouragement, enforcement, and planning activities that further program goals. The focus of this category is on pilot and start-up projects that can demonstrate funding for ongoing efforts.
- Infrastructure projects with non-infrastructure components are also eligible.

The minimum request for non-SRTS projects is \$250,000. There is no minimum for SRTS projects. More information is available at: <https://dot.ca.gov/programs/local-assistance/fed-and-state-programs/active-transportation-program>

Office of Traffic Safety (OTS) Grants

The Office of Traffic Safety Program is a partnership effort between the National Highway Traffic Safety Administration (NHTSA), Federal Highway Administration, and the states. In California, the grants are administered by OTS.

Grants are used to establish new traffic safety programs, expand ongoing programs or address deficiencies in current programs. Eligible grantees are governmental agencies, state colleges, state universities, local City and County government agencies, school districts, fire departments, and public emergency services providers. Grant funding cannot replace existing program expenditures, nor can traffic safety funds be used for program maintenance, research, rehabilitation, or construction. Grants are awarded on a competitive basis, and priority is given to agencies with the greatest need. Evaluation criteria to assess need include potential traffic safety impact, collision statistics and rankings, seriousness of problems, and performance on previous OTS grants.

The California application deadline is January of each year. There is no maximum cap to the amount requested, but all items in the proposal must be justified to meet the objectives of the proposal.

More information is available on the OTS website: <http://www.ots.ca.gov/>

Road Repair and Accountability Act of 2017 (SB 1)

SB 1 provides for an ongoing increase in state transportation funding and expands the CTC role and revenues to provide oversight and accountability for transportation infrastructure investments.

SB 1 funds several programs that the CTC will administer: Local Partnership Program, Local Streets and Roads Apportionments, Solutions for Congested Corridors Program, Freight Program, and Active Transportation Program Augmentation. SB 1 also provides additional funding for the State highway Operation and Protection Program and the State Transportation Improvement Program Stabilization.

Regional and Local Sources

Merced County Association of Governments: Measure V

Measure V is Merced County's 30-year half cent transportation sales tax, passed by voters in November 2016. Measure V is expected to generate \$15 million in new revenue annually and \$450 million over the life of the measure. 40 percent of Measure V revenue will go towards Local Projects and 10% is dedicated to Local Alternative Modes. At least 20 percent of the Local Project funds each jurisdiction receives must be used for alternative modes projects. These alternative modes projects include bicycle, pedestrian, passenger rail, and other modes of transportation that reduce single-occupant vehicle use.

Developer Impact Fees

As a condition for development approval, municipalities can require developers to provide certain infrastructure improvements, which can include bikeway projects. These projects have commonly provided Class II facilities for portions of on-street, previously-planned routes. They can also be used to provide bicycle parking or shower and locker facilities. The type of facility that should be required to be built by developers should reflect the greatest need for the particular project and its local area. Legal challenges to these types of fees have resulted in the requirement to illustrate a clear nexus between the particular project and the mandated improvement and cost.

Roadway Construction, Repair, and Upgrade

Future road widening and construction projects are one means of providing improved pedestrian and bicycle facilities. To ensure that roadway construction projects provide these facilities where needed, it is important that the review process includes input pertaining to consistency with the proposed system. In addition, California's 2008 Complete Streets Act and Caltrans' Deputy Directive 64 require that the needs of all roadway users be considered during "all phases of state highway projects, from planning to construction to maintenance and repair."

More information: dot.ca.gov/hq/tpp/offices/ocp/complete_streets.html

Utility Projects

By monitoring the capital improvement plans of local utility companies, it may be possible to coordinate upcoming utility projects with the installation of bicycle and pedestrian infrastructure within the same area or corridor. Often times, the utility companies will mobilize the same type of forces required to construct bikeways and sidewalks, resulting in the potential for a significant cost savings. These types of joint projects require a great deal of coordination, a careful delineation of scope items and some type of agreement or memorandum of understanding, which may need to be approved by multiple governing bodies.

Cable Installation Projects

Cable television and telephone companies sometimes need new cable routes within public right-of-way. Recently, this has most commonly occurred during expansion of fiber optic networks. Since these projects require a significant amount of advance planning and disruption of curb lanes, it may be possible to request reimbursement for affected bicycle facilities to mitigate construction impacts. In cases where cable routes cross undeveloped areas, it may be possible to provide for new bikeway facilities following completion of the cable trenching, such as sharing the use of maintenance roads.

San Joaquin Valley Air Pollution Control District

The San Joaquin Valley Air Pollution Control District offers a number of grants to residents, businesses, and most importantly for the purposes of this Plan, public agencies. Each of their grant opportunities seeks to improve the air quality of the San Joaquin Valley and come in a variety of programs that are relevant to the goals and needs of the *Active Transportation and Safe-Routes-to-School Plan*. Grants for alternative-fuel vehicles and infrastructure, retrofitting or replacing school buses with emission-control systems, and bicycle infrastructure are among the Air Pollution Control District's offerings.

Other Sources

High-Speed Rail

With the California High-Speed Rail Authority planning, designing, and building a station in downtown Merced, there will be opportunities for partnership in developing active transportation connections between downtown Merced destinations and the High-Speed Rail Station.

Miscellaneous Sources

Local sales taxes, fees, and permits may be implemented as new funding sources for pedestrian and bicycle projects. However, any of these potential sources would require a local ballot measure. Volunteer programs may be developed to substantially reduce the cost of implementing some routes, particularly multi-use paths. For example, a local college design class may use such a multi-use route as a student project, working with a local landscape architectural or engineering firm. Work parties could be formed to help clear the right of way for the route. A local construction company may donate or discount services beyond what the volunteers can do. A challenge grant program with local businesses may be a good source of local funding, in which the businesses can "adopt" a route or segment of one to help construct and maintain it.

Section 7: Low-Cost Improvements and Safety Countermeasures



Low-Cost Improvements and Safety Countermeasures

Overview

This section suggests low-cost countermeasures that are effective at increasing safety and comfort for all roadway users, including the most vulnerable. The listed countermeasures in this section are considered cost-effective and feasible for Merced. The full list of potential countermeasures can be found at the following resources, all from the Federal Highway Administration (FHWA) except the final two, which are from Caltrans and UC Berkeley SafeTREC:

- BikeSAFE Bicycle Safety Guide and Countermeasure Selection System
- PedSAFE Pedestrian Safety Guide and Countermeasure Selection System
- Toolbox of Countermeasures and Their Potential Effectiveness for Pedestrian Crashes
- Crash Modification Factors Clearinghouse
- Low-Cost Safety Enhancements for Stop-Controlled and Signalized Intersections
- Systemic Safety Project Selection Tool
- Small Town and Rural Multimodal Networks
- Pedestrian Safety Improvement Program
- Strategies for Reducing Pedestrian and Bicyclist Injury at the Corridor Level

These sources provided the cost estimates for the treatments listed in this section, where available. For the remaining countermeasures, cost estimates were pulled from existing, recently completed Bicycle and Pedestrian Master Plans and projects in California.

Maintenance

Each section below provides costs to maintain the treatment where available. Maintaining the walking and bicycling network once it has been implemented preserves the investment and helps support a high quality of life for Merced residents. Maintenance costs are a concern for most cities, because there are often limited funds available in existing budgets, and grant programs are typically geared towards installation and do not usually provide ongoing or maintenance funding.

Setting Priorities

A detailed and systematic Maintenance Management System will help set priorities, though staff may be doing this effectively already. Sound overall advice on setting trail maintenance priorities is provided in the U.S. Forest Service *Trail Construction and Maintenance Notebook* 2004 edition (this edition is more specific on this topic than the updated 2007 edition). Though directed at backcountry trails, it is valid for pedestrian and bicycling settings. What follows is a short excerpt from that document:

High-quality and timely maintenance will greatly extend the useful life of walking facilities. Even though you know the proper maintenance specifications, sometimes there is too much work for the time you have to spend. How do you decide what to do? Since it is a given that there will always be more work to do than people to do it, it's important to:

- *Monitor your conditions closely*
- *Decide what can be accomplished as basic maintenance*
- *Determine what can be deferred*
- *Identify what area will need major work*

Setting priorities is critically important if maintenance dollars are going to be spent keeping facilities in the best possible condition. The first priority is to correct truly unsafe situations. The second priority is to correct things causing significant damage. The third priority is to restore the facility to the planned design standard. Whatever the priority, doing maintenance when the need is first noticed will help prevent more severe and costly damage later.

Merced Connect App

Already in use by the City of Merced for incident reporting and notifications of maintenance needs, the Merced Connect App is an effective and efficient way of alerting City personnel when maintenance needs arise throughout the City's infrastructure. While not exclusive to active transportation infrastructure, this application serves as an easily-accessed portal to provide the location and general information of damaged infrastructure that, in effect, crowd-sources the City's ability to locate and quickly identify problem areas. Continuing to educate citizens and promote the use of the Merced Connect App will go a long way towards having the most rapid responses to maintenance needs.

Pedestrian Safety Countermeasures

Sidewalks and Walkways

Sidewalks and walkways are “pedestrian lanes” that provide people with space to travel within the public right-of-way that are separated from roadway vehicles. Sidewalks are associated with significant reductions in pedestrian collisions with motor vehicles.¹⁸ Walkways should be part of every new and renovated road facility and every effort should be made to retrofit streets that currently do not have sidewalks.

While sidewalks are typically made of concrete, less expensive walkways may be constructed of asphalt, crushed stone, or other materials if they are properly maintained and accessible to persons with mobility restrictions. To achieve this accessibility, paths should be firm, stable, and slip-resistant. In more rural areas, in particular, a “side path” made of one of these materials may be suitable. In areas where a separated walkway is not feasible, a wide paved shoulder on a roadway can provide a place for pedestrians to safely walk.¹⁹ Sidewalks or walkways should be at least five feet wide while paved shoulders should be at least six feet wide.²⁰ A buffer zone of four to six feet is desirable to separate pedestrians from the street; the buffer zone will vary according to the street type.

In downtown or commercial districts, a street furniture zone is usually appropriate; parked cars or bicycle lanes can also provide an acceptable buffer zone. In more suburban or rural areas, a landscape strip is generally most suitable. Careful planning of sidewalks and walkways is important in a neighborhood or area in order to provide adequate safety and mobility for all pedestrians, including those in wheelchairs and others with increased accessibility needs.²¹ For example, there should be a flat sidewalk provided in areas where driveways slope to the roadway.

Costs vary depending on the length of sidewalk, the base material, and whether curb ramps are needed. Asphalt curbs and walkways are less costly, but require more maintenance, and are more difficult to walk and roll on for pedestrians with mobility restrictions. The approximate cost to add paved shoulders can range from \$100,000 to \$350,000 per mile for 5-6 feet wide shoulders. This cost can vary widely depending on the length of shoulder, site conditions, and other factors. Table T presents the cost estimates for various sidewalk designs.

18 Campbell, B., C. Zegeer, H. Huang, and M. Cynecki, Pedestrian Safety Research in the U.S., Federal Highway Administration, Washington, DC, October 1999.

19 American Association of State Highway and Transportation Officials, Guide for the Planning, Design, and Operation of Pedestrian Facilities, July 2004.

20 ITE Traffic Engineering Council. Design and Safety of Pedestrian Facilities: A Recommended Practice of the Institute of Transportation Engineers. ITE Journal, Vol. RP-026A, Institute of Transportation Engineers, Washington, D.C., 1998.

21 Federal Highway Administration. Design Guidelines: Accommodating Bicycle and Pedestrian Travel – A Recommended Approach. A US DOT Policy Statement on Integrating Bicycling and Walking into Transportation Infrastructure, 2002.

Table T: Sidewalk Costs by Design

<i>Type</i>	<i>Description</i>	<i>Price Range</i>	<i>Unit</i>
Sidewalk	Asphalt paved shoulder	\$2.96 – \$7.65	Square foot
Sidewalk	Asphalt sidewalk	\$6.02 - \$150	Linear foot
Sidewalk	Concrete sidewalk	\$2.09 - \$410	Linear foot

Path repair and maintenance is around \$4,000 per linear mile, annually; maintenance costs for sidewalk repair can vary depending on the extent of the damage.

Curb Ramps

Curb ramps provide access between the sidewalk and roadway for people who have mobility restrictions that make it difficult to step up and down high curbs and for anyone using wheelchairs, strollers, walkers, crutches, handcarts, or bicycles. Curb ramps must be installed at all intersections and midblock locations where there are pedestrian crossings, as mandated by federal legislation, vis-à-vis the 1973 Rehabilitation Act and ADA 1990. Curb ramps must have a slope of no more than 1:12, that is, they must not exceed one inch per foot or a maximum grade of 8.33 percent, and a maximum slope on any side flares of 1:10.²²

Separate curb ramps for each crosswalk at an intersection should be provided rather than a single ramp at a corner for both crosswalks. The separate curb ramps improve orientation for visually impaired pedestrians by directing them toward the correct crosswalk. Similarly, tactile warnings alert pedestrians to the sidewalk and street edge. All newly constructed and altered roadway projects must include curb ramps. In addition, all agencies should upgrade existing facilities as the opportunity arises. One way to start this process is to conduct audits of the pedestrian facilities to make sure transit facilities, schools, public buildings, and parks are accessible to pedestrians who use wheelchairs. Table X presents curb ramp cost estimates.

Table U: Curb Ramp Cost Estimates

<i>Type</i>	<i>Description</i>	<i>Price Range</i>	<i>Unit</i>
Curb Ramp	Truncated dome/ detectable warning	\$6.18 - \$260	Square foot
Curb Ramp	Wheelchair ramp	\$89 – \$3,600	Each

While curb ramps are needed for use on all types of streets, priority locations are located in downtown areas and on streets near transit stops, schools, parks, medical facilities, shopping areas, and residences with people who use wheelchairs. Maintenance costs for curb ramp repair can vary depending on the extent of the damage.

22 U.S. Access Board. Accessibility Guidelines for Pedestrian Facilities in the Public Right-Of-Way, proposed guidelines. Washington, D.C., 2011.

Marked Crosswalks and Enhancements

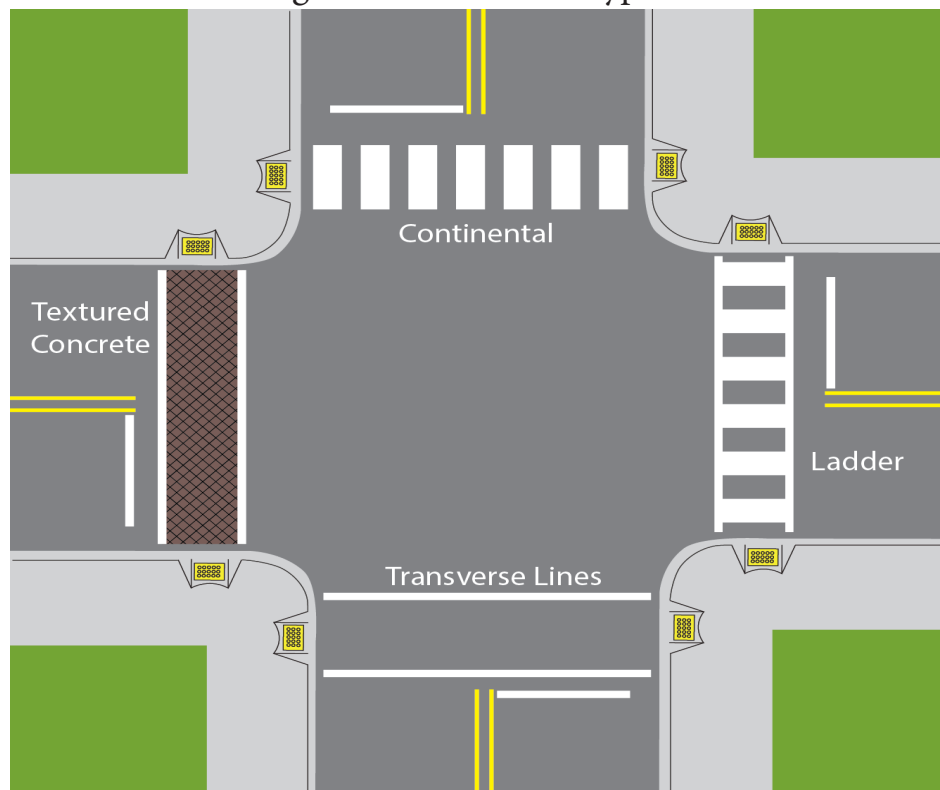
Marked crosswalks indicate optimal or preferred locations for pedestrians to cross and help designate right-of-way for motorists to yield to pedestrians. Crosswalks are often installed at signalized intersections and other selected locations with appropriate levels of pedestrian and vehicle traffic. Various crosswalk marking patterns are given in the Manual on Uniform Traffic Control Devices (MUTCD)²³ and shown in Figure 41. Marked crosswalks are desirable at some high pedestrian volume locations, often in conjunction with other measures, to guide pedestrians along a preferred walking path. In some cases, they can be raised and should be installed in conjunction with other enhancements that physically reinforce crosswalks and reduce vehicle speeds. It is useful to supplement crosswalk markings with warning signs or beacons for motorists. At some locations, signs can get “lost” in visual clutter, so care should be taken in placement.

Crosswalk restriping should be conducted every five to seven years on arterial streets and 10 years on minor streets. Each restriping costs around \$2,800.

Table V: Crosswalk Cost Estimates

Type	Description	Price Range	Unit
Crosswalk	Ladder/continental design	\$150 - \$500	Each
Crosswalk	Brick paving/textured concrete	\$7.25 - \$15	Square foot
Crosswalk	Transverse design	\$1.03 - \$26	Linear foot

Figure 41: Crosswalk Types



²³ Federal Highway Administration, Manual on Uniform Traffic Control Devices for Streets and Highways, Federal Highway Administration, Washington, DC, 2009.

Pedestrians are sensitive to out-of-the-way travel, and reasonable accommodation should be made to make crossings both convenient and safe at locations with adequate visibility. At signalized intersections, this means that all four legs of the intersection should have crosswalks. Though midblock crossings are generally not preferred, if they are installed, Merced should make sure to accompany them with signs or markings to alert motorists of the upcoming crosswalk, because motorists generally do not expect midblock crossings. Many cities now use beacons such as the pedestrian hybrid beacon or the rectangular rapid flash beacon (RRFB) to alert motorists of pedestrians in the crosswalk. For more on these treatments, see Signal Enhancements and Beacons, Page 103.

Curb Extensions and Parking Restrictions

Wide roadways can create difficult crossing situations for pedestrians. Not only do pedestrians need more time to cross the roadway, but the roadway width encourages motorists to speed or take turns quickly. Curb extensions improve safety because they increase visibility, reduce speed of turning vehicles, encourage pedestrians to cross at designated locations, shorten the crossing distance, and prevent vehicles from parking at corners. Curb extensions, also known as bulb-outs or neckdowns, extend the sidewalk or curb line out into the parking lane, which reduces the effective street width.

If curb extensions are too expensive or if more space is not needed for sidewalk furniture, removing parking on the approach of an intersection may help pedestrians to safely cross the street by providing them with a clearer view of oncoming vehicles. Generally vehicles should not be parked within at least 20 feet of an intersection and parking restrictions should consider adequate sightlines for motorists and pedestrians to be able to see and react to each other. This treatment is sometimes called “daylighting” an intersection. Daylighting clears away obstructions and improves safety, especially for children who have difficulty seeing and being seen at intersections.

Costs can be minimal if all that is needed is to remove the striping of a parking space and/or adding paint. If curb extensions are added, the cost can increase substantially, generally from \$2,000 to \$20,000. Delineators cost approximately \$50 to \$100, and parking restriction signs cost approximately \$200. Maintenance costs for curb extension repair can vary depending on the extent of the damage, but should not be needed more than once every 10-15 years. Paint and delineator repair or replacement may be needed every 3-5 years. Signs should not be needed to be replaced or repaired more than once every 10 years.

Figure 42: Delineators



Signal Enhancements and Beacons

The Rectangular Rapid Flashing Beacon (RRFB) is a device using LED flashing beacons in combination with pedestrian warning signs, to provide a high-visibility strobe-like warning to drivers when pedestrians use a crosswalk. This device is currently not included in the MUTCD, but design, placement, and operation of RRFBs should be in accordance with FHWA's Interim Approval for Optional Use of Rectangular Rapid Flashing Beacons issued July 16, 2008. Advance yield lines or stop lines should be included in the installation of an RRFB. Advance stop lines and yield markings improve the visibility of pedestrians to motorists and prevent multiple-threat crashes. Figure 43 and 44 show the details of an RRFB already in place in Merced along G Street.

Figure 43: RRFB Button

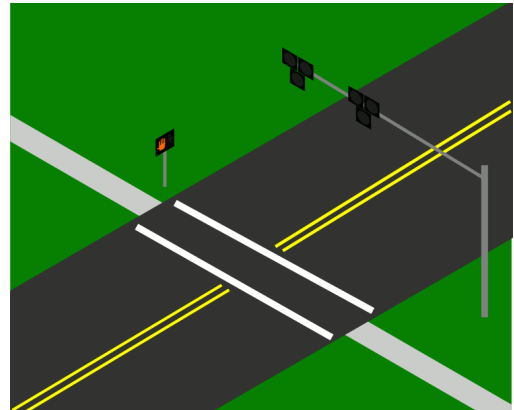


Figure 44: RRFB Context



A pedestrian hybrid beacon is a special type of beacon used to warn and control traffic at an unsignalized location to assist pedestrians in crossing a street or highway at a marked crosswalk. The MUTCD provides guidance on the pedestrian volume warrants, design features, and restrictions associated with the pedestrian hybrid beacon. The pedestrian volume thresholds required by the MUTCD for a pedestrian hybrid beacon are significantly lower than for a traffic signal, and this treatment may be installed at locations where traffic signals are not otherwise warranted. This can potentially allow Merced to address neighborhood concerns about such issues as driver speeds and pedestrian safety while still meeting California standards. Advance stop lines or advance yield lines should be included in the installation of a pedestrian hybrid beacon. For more on advance stop lines, see "Examples of Bicycle Facilities from Other Communities" on page 29.

Figure 45: Pedestrian Hybrid Beacon



Leading pedestrian intervals (LPIs) can be programmed into traffic signals to minimize conflicts between pedestrians crossing a roadway and left or right turning vehicles. LPIs give the pedestrian the WALK signal 3-7 seconds before the motorists are allowed to proceed through the intersection.²⁴ By giving pedestrians a head start, it is less likely that there will be conflict between pedestrians and turning vehicles. LPIs increase the percentage of motorists who yield the right of way to pedestrians because pedestrians are in the crosswalk by the time the traffic signal turns green for parallel vehicle movements.

Prohibiting right turns on red lights is a simple, low-cost measure. A permissible right turn on red was introduced in the 1970s as a fuel-saving measure and has sometimes had detrimental effects on pedestrians. While the law requires motorists to come to a full stop and yield to cross-street traffic and pedestrians prior to turning right on red, many motorists do not fully comply with the regulations, especially at intersections with wide turning radii. Motorists may be so focused on looking for traffic approaching on their left that they may not be alert to pedestrians approaching on their right. In addition, motorists may pull up into the crosswalk to wait for a gap in traffic, blocking pedestrian crossing movements.

In some instances, motorists simply do not come to a full stop. One concern that comes up when right turns on red are prohibited is that it may lead to higher right-turn-on-green conflicts when there are concurrent signals. Using right turn prohibitions on red lights in conjunction with use of the LPI can often best address this issue. Where appropriate, right turn on red restrictions can be put into place only during certain times of day when pedestrian traffic is at its peak. Where pedestrian volumes are very high, exclusive pedestrian signals or “pedestrian scrambles” should be considered. Table W shows signal enhancement and beacon cost estimates.

Table W: Signal Enhancement and Beacon Costs

<i>Type</i>	<i>Description</i>	<i>Price Range</i>	<i>Unit</i>
Beacon	Pedestrian hybrid beacon	\$21,440 - \$128,660	Each
Beacon	Rectangular Rapid Flashing Beacon (RRFB)	\$4,520 - \$52,310	Each
Signal enhancement	Leading pedestrian interval	\$0 - \$3,500	Each
Right turn on red restrictions	Standard signs or electronic signs	\$200 - \$3,500	Each

Maintenance costs for RRFBs depend on the manufacturer, but are typically less than \$5,000 every three to five years. The City may be able to work with the manufacturer to ensure a warranty is in place that would cover the cost of maintenance. Maintenance costs for pedestrian hybrid beacons are similar to those of a traffic signal, but do not require a signal technician to program, configure, and maintain.²⁵

24 Fayish, A. and F. Gross, Safety Effectiveness of Leading Pedestrian Intervals Evaluated by a Before-After Study with Comparison Groups, Transportation Research Record: Journal of the Transportation Research Board, 2010.

25 <http://southernltg.com/>

Bicyclist Safety Countermeasures

Bicycle Lanes

Bicycle lanes indicate a preferential or exclusive space for bicycle travel along a street. It is recommended that bicycle lanes be six feet wide and designated by striping and symbols placed within the lane. Older bicycle lanes are often narrower than the current recommended width, measuring four or five feet wide. Signage may also be used along bicycle lanes to provide additional visual indication. Colored pavement or a contrasting paving material has also been used in certain situations to distinguish bicycle lanes from the travel lanes. Use of green colored bike lanes has interim approval from the Federal Highway Administration (FHWA) and when paired with green signage it can improve the visibility profile of bicycle lanes. Bicycle lanes have been found to provide more consistent separation between bicyclists and passing motorists than shared travel lanes. The presence of the bicycle lane stripe has also been shown to result in fewer erratic motor vehicle driver maneuvers, more predictable bicyclist riding behavior, and enhanced comfort levels for both motorists and bicyclists. Reallocating existing street space by narrowing other travel lanes, removing travel lanes, and/or reconfiguring parking lanes is a way to create space for bicycle lanes on an existing roadway.

Wider bicycle lanes of six to seven feet and/or buffers provide additional operating space and lateral separation from moving and parked vehicles, thus increasing bicyclists’ sense of comfort and perceived safety and reducing the risk of dooring from parked vehicles. Using buffers between the bike and motor vehicle lanes can also be used to visually narrow a wide street and create a more attractive and comfortable bicycling environment.

Where space allows, vertical separation can be added within the buffer zone with flexible delineators/bollards, planter boxes, and other treatments. This treatment is called a separated bikeway, Class IV protected bikeway, or cycle track. Costs for separated bikeways depend on the design and treatments used.

Table X: Bicycle Lane Costs

Type	Description	Price Range	Unit
Bikeway	Bicycle lane (two sides of road)	\$1,000 - \$90,000	Mile
Bikeway	Buffered bicycle lane (two sides of road)	\$45,000 - \$180,000	Mile
Bikeway	Signed bike route	\$15,000 - \$50,000	Mile
Bikeway	Separated bikeway	\$500,000 - \$1,000,000	Mile

Bike lanes can be maintained using normal street sweeping. Repainting bike lanes can cost between \$1,000 and \$100,000 per mile depending on the design and paint material used. Separated bikeways may require a separate, smaller street sweeping machine that would fit into the smaller bikeway. If neighboring cities install separated bikeways, Merced could jointly purchase a smaller street sweeper and share the costs.

Roadway Reconfiguration/Road Diet

Roadway reconfigurations, also called road diets, can be implemented relatively inexpensively as part of a repaving project. The most common road diet configuration involves converting a four-lane road to three lanes, with one travel lane in each direction and a center two-way left-turn lane (TWLTL), as well as a bicycle lane on each side of the roadway. Left-turning drivers can exit the traffic stream and wait in the TWLTL, while through traffic can maintain a fairly constant speed. Four-to-three-lane conversions should be considered for roadways with documented safety concerns, moderate volumes (up to 25,000 Average Daily Trips), and along priority bicycle and walking routes. Most agencies choose to allocate the remaining space to bicycle lanes, but reconfiguring on-street parking, widening sidewalks, or adding parklets are also common.

The cost for restriping a mile of four-lane roadway to one lane in each direction plus a TWLTL and bike lanes is about \$5,000 to \$20,000 per mile, depending on the amount of lane lines that need to be repainted. If a reconfiguration is done after repaving or with an overlay, and curbs do not need to be changed, there is little or no cost for space reallocations accomplished through new striping.

Paved Shoulders

Utilizing paved shoulder space on the roadway is another way to create dedicated space for bicyclists. If sufficient right-of-way is not available, narrowing vehicle lanes and therefore widening available paved shoulder space on the roadway is an inexpensive way to create space for bicyclists. This is especially effective on rural roads. Narrowing vehicle lanes has also been shown to reduce vehicle speeds. If the shoulder is wide enough, installing rumble strips on or next to the edge line may increase perceived safety for bicyclists.²⁶ This should be done in areas free of noise issues or free of bicycle safety concerns. If rumble strips are not warranted, Merced can narrow vehicle lanes through raised pavement markers.

Table Y: Lane Narrowing Costs

Type	Description	Price Range	Unit
Lane narrowing	Through pavement markings and rumble strips	\$20,000 - \$40,000	Mile
Lane narrowing	Through pavement marking and raised pavement markers	\$5,000 - \$10,000	Mile

Though implementation costs for raised pavement markings is less than rumble strips, maintenance costs may be higher.

26 FHWA-HEP-17-024, Small Town and Rural Multimodal Networks, December 2016.

Traffic Safety Countermeasures

The countermeasures in this section are low-cost and intended to increase safety for all roadway users.

Stop Sign Enhancements

Reflective stripes on sign posts can be used on stop signs with low visibility due to sign clutter or competing background features to increase attention to the sign. LED stop signs, particularly helpful at night, can be installed at locations where visibility is low or vehicles running the stop sign is a problem. Typically these treatments are solar powered. Merced can decide to purchase several and rotate them around the city as needed.

Table Z: Stop Sign Enhancement Costs

Type	Description	Price Range	Unit
Sign enhancement	Reflective strips	Less than \$1,000	Each
Sign enhancement	LED stop sign	\$5,000 - \$15,000	Each

Maintenance costs for reflective strips are minimal. LED stop signs may cost more to maintain depending on the manufacturer and design of the sign.

Roundabouts and Traffic Circles

Roundabouts are circular intersections designed to eliminate left turns by requiring traffic to exit to the right of the circle. Roundabouts are installed to reduce vehicular speeds, improve safety at intersections through eliminating angle collisions, help traffic flow more efficiently, reduce operational costs when converting from signalized intersections, and help create gateway treatments to signify the entrance of a special district or area. They often work best where the traffic flows are balanced on all approaches. Landscaped traffic circles can help with storm water runoff and neighborhood beautification.

For neighborhood intersections a traffic circle can be installed for approximately \$25,000 to \$100,000, with landscaped roundabouts raising the cost to \$45,000 to \$150,000. For arterial streets, the cost is approximately \$250,000, but can increase to more than \$500,000 depending on the size, site conditions, and whether right-of-way acquisitions are needed. Roundabouts usually have lower ongoing maintenance costs than traffic signals, depending on whether the roundabout is landscaped. Maintenance costs for roundabouts and traffic circles vary depending on the size, materials, and landscaping. Long-term maintenance for a roundabout is usually less than a traffic signal.

Applications of Low-Cost Countermeasures in Merced

Table AA shows the recommended low-cost countermeasures for Merced. This was developed through input from the Technical Advisory Committee and Community Focus Group members.

Table AA: Recommended Low-Cost Countermeasures in Merced

Project ID	Location	Challenge Observed	Recommended Low-Cost Countermeasure
B1	11th Street	No bicycle facilities	Class II Bike Lane
B2	11th Street	No bicycle facilities	Class II Bike Lane
B7	13th Street	No bicycle facilities	Class II Bike Lane
B8	14th Street	No bicycle facilities	Class II Bike Lane
B14	Bancroft Drive	No bicycle facilities	Class II Bike Lane
B15	Barclay Way	No bicycle facilities	Class II Bike Lane
B17	Bellevue Road	No bicycle facilities	Class II Bike Lane
B18	Bellevue Road	No bicycle facilities	Class II Bike Lane
B25	Childs Avenue	No bicycle facilities	Class II Bike Lane
B26	Childs Avenue	No bicycle facilities	Class II Bike Lane
B29	Coffee Street	No bicycle facilities	Class II Bike Lane
B30	Cooper Avenue	No bicycle facilities	Class II Bike Lane
B33	E Childs Avenue	No bicycle facilities	Class II Bike Lane
B35	East side of G Street	No bicycle facilities	Class II Bike Lane
B36	East side of McKee Road	No bicycle facilities	Class II Bike Lane
B40	G Street	No bicycle facilities	Class II Bike Lane
B41	G Street	No bicycle facilities	Class II Bike Lane
B43	G Street (east side)	No bicycle facilities	Class II Bike Lane
B44	Gardner Avenue	No bicycle facilities	Class II Bike Lane
B45	Gardner Avenue	No bicycle facilities	Class II Bike Lane
B46	Gardner Avenue	No bicycle facilities	Class II Bike Lane
B47	Gerard Avenue	No bicycle facilities	Class II Bike Lane
B48	Gerard Avenue	No bicycle facilities	Class II Bike Lane
B49	Gerard Avenue	No bicycle facilities	Class II Bike Lane
B50	Gerard Avenue	No bicycle facilities	Class II Bike Lane
B51	Gerard Avenue	No bicycle facilities	Class II Bike Lane
B52	Golf Road	No bicycle facilities	Class II Bike Lane
B53	Grogan Avenue	No bicycle facilities	Class II Bike Lane
B54	Henry Street	No bicycle facilities	Class II Bike Lane
B55	Highway 59	No bicycle facilities	Class II Bike Lane
B57	M Street	No bicycle facilities	Class II Bike Lane
B59	M Street	No bicycle facilities	Class II Bike Lane
B60	M Street	No bicycle facilities	Class II Bike Lane
B62	McKee Road	No bicycle facilities	Class II Bike Lane

Table AA, Continued: Recommended Low-Cost Countermeasures in Merced

Project ID	Location	Challenge Observed	Recommended Low-Cost Countermeasure
B63	McKee Road	No bicycle facilities	Class II Bike Lane
B67	Mission Avenue	No bicycle facilities	Class II Bike Lane
B68	Mission Avenue	No bicycle facilities	Class II Bike Lane
B69	Mission Avenue	No bicycle facilities	Class II Bike Lane
B70	Mission Avenue	No bicycle facilities	Class II Bike Lane
B73	Olive Avenue	No bicycle facilities	Class II Bike Lane
B76	Olive Avenue	No bicycle facilities	Class II Bike Lane
B80	Parsons Avenue	No bicycle facilities	Class II Bike Lane
B81	Parsons Avenue	No bicycle facilities	Class II Bike Lane
B82	Parsons Avenue	No bicycle facilities	Class II Bike Lane
B83	Parsons Avenue	No bicycle facilities	Class II Bike Lane
B84	Parsons Avenue	No bicycle facilities	Class II Bike Lane
B85	Parsons Avenue	No bicycle facilities	Class II Bike Lane
B91	R Street	No bicycle facilities	Class II Bike Lane
B92	R Street	No bicycle facilities	Class II Bike Lane
B93	Santa Fe Drive	No bicycle facilities	Class II Bike Lane
B97	SR-59	No bicycle facilities	Class II Bike Lane
B98	Thornton Road	No bicycle facilities	Class II Bike Lane
B99	Tyler Road	No bicycle facilities	Class II Bike Lane
B101	Wardrobe Avenue	No bicycle facilities	Class II Bike Lane
B102	West Avenue	No bicycle facilities	Class II Bike Lane
B103	West Avenue	No bicycle facilities	Class II Bike Lane
B106	Yosemite Parkway	No bicycle facilities	Class II Bike Lane
B13	Ashby Road	No bicycle facilities	Class II Bike Lane
B58	M Street	No bicycle facilities	Class II Bike Lane
B78	Parsons Avenue	No bicycle facilities	Class II Buffered Bike Lane
B105	Yosemite Avenue	No bicycle facilities	Class II Buffered Bike Lane
B3	11th Street	No bicycle facilities	Class III Bike Route
B4	11th Street	No bicycle facilities	Class III Bike Route
B5	11th Street	No bicycle facilities	Class III Bike Route
B11	8th Street	No bicycle facilities	Class III Bike Route
B27	Childs Avenue	No bicycle facilities	Class III Bike Route
B28	Childs Avenue	No bicycle facilities	Class III Bike Route
B42	G Street	No bicycle facilities	Class III Bike Route
B61	M Street	No bicycle facilities	Class III Bike Route
B104	West Avenue	No bicycle facilities	Class III Bike Route
B12	Ahwahnee Court - Joerg Avenue	No bicycle facilities	Class III Bike Route
BS4	Rascal Bike Path	Obscured visibility	Bicycle Spot Improvement
BS6	W 16 th Street/SR-59	Intersection design	Bicycle Spot Improvement

Table AA, Continued: Recommended Low-Cost Countermeasures in Merced

<i>Project ID</i>	<i>Location</i>	<i>Challenge Observed</i>	<i>Recommended Low-Cost Countermeasure</i>
P2	Main Street	Unmarked crossing	Pedestrian Crossing Enhancements
P6	Olive Avenue	Minimal crossing facilities	Pedestrian Crossing Enhancements
PS1 (partial)	16 th Street/R Street	Minimal crossing facilities	Pedestrian Crossing Enhancements
PS8	Downtown Area	Minimal crossing facilities	Pedestrian Crossing Enhancements
PS11 (partial)	G Street/Alexander Avenue	Minimal crossing facilities	Pedestrian Crossing Enhancements
PS19	Parsons Avenue/ Merced Avenue	Minimal crossing facilities	Pedestrian Crossing Enhancements
PS20	Parsons Avenue/SR-140	Minimal crossing facilities	Pedestrian Crossing Enhancements
PS21	Olive Avenue/M Street	Minimal crossing facilities	Pedestrian Crossing Enhancements
PS23	R Street/Yosemite Avenue	Minimal crossing facilities	Pedestrian Crossing Enhancements
PS24	R Street/Childs Avenue	Crossing beacon change	Crossing Beacon Enhancement
PS25	Fairfield Street/M Street	Minimal crossing facilities	Pedestrian Crossing Enhancements

Section 8: Infrastructure Projects



Infrastructure Projects

Total of Recommended Projects

Combined, all recommended pedestrian and bicycle projects are estimated to have a construction cost of \$25.8 million dollars. That cost excludes the costs of the infrastructure that would be recommended from the pedestrian studies.

\$25.8 million
*is the construction cost
of the recommended
bicycle and pedestrian
projects in this Plan.*

Prioritization Methodology

This section presents a methodology for evaluating individual infrastructure projects based on their effectiveness at meeting this Plan's vision and goals, as well as their anticipated competitiveness in grant funding programs. The evaluation criteria are described on the following page. Included in the description is information on how each of the criteria are measured, where the data or information comes from, and how each of the criteria will be scored.

The intent of evaluating projects is to create a prioritized list of projects for implementation. As projects are implemented, lower ranked projects move up the list. However, projects may not necessarily advance in the order presented on the prioritized list. External factors such as changes to grant program criteria, availability of other external funding, and related development projects may advance some projects from further down the list sooner. While this methodology makes every attempt to include relevant funding criteria, it cannot guarantee that projects highest up on the priority list will be most competitive in any particular grant cycle.

The project list and individual projects to be included in the *Merced Active Transportation and Safe-Routes-to-School Plan* are flexible concepts that serve as a guideline. The high-priority project list, and perhaps the overall project list, may change over time as a result of changing walking and bicycling patterns, land use patterns, implementation constraints and opportunities, and the development of other transportation improvements.

Development Process

These criteria and the weighting of scores are based on community feedback, as well as common criteria in grant funding sources. This will help ensure that high-scoring projects are those that both align with community priorities and are likely to be competitive for future funding.

Draft evaluation criteria were developed based on early project work including existing conditions analyses and public input. These draft criteria were circulated to the public for feedback at two workshops in November 2017, where participants were invited to vote for the criteria they felt should be the highest priority. Based on this feedback, the project team revised the evaluation criteria and possible scores.

Evaluation Criteria

Each proposed infrastructure project was evaluated against the criteria described in Table AB for a maximum of 100 points.

Table AB: Evaluation Criteria

Criteria	Data Source	Description	Max Pts
Safety	SWITRS	<p>The project addresses a bicycle or pedestrian related collision within 100 feet of project.</p> <p>Projects will be scored on a scaled ranking from 0 to 20 with location(s) with the most collisions receiving the maximum score.</p>	20
Community Support	Outreach Efforts	<p>The project is at a location identified as a challenge through public engagement activities, or the project was proposed by a member of the Technical Advisory Committee or community.</p> <p>Projects that fall into these areas receive 10 points.</p> <p>Projects that do not will receive 0 points.</p>	15
Activity Generator Connection	GIS	<p>The project provides or improves a connection to a destination (schools, transit stops, community buildings, commercial areas, parks, and more), including bicycle parking projects.</p> <p>Projects that directly connect to an activity generator receive 15 points.</p> <p>Projects that provide indirect connections receive 10 points.</p> <p>Projects that do not connect to an activity generator receive 0 points.</p>	15
SRTS	GIS	<p>The project is located within ½ mile of a school.</p> <p>Projects located within ¼ mile of a school receive 30 points.</p> <p>Projects located within ½ mile of a school receive 15 points.</p> <p>Projects not located within ½ mile of a school receive 0 points.</p>	30
Disadvantaged Community Connection	CalEnviroScreen and GIS	<p>The project falls within or provides a connection to South Merced or another disadvantaged community as defined by CalEnviroScreen.</p> <p>Projects within a disadvantaged community receive 15 points.</p> <p>Projects that provide a direct connection to a disadvantage community receive 10 points.</p> <p>Projects that do not connect to a disadvantaged community receive 0 points.</p>	20
Total Points Possible			100

By scoring projects based on the Prioritization Methodology, the City developed a prioritized list of projects for implementation. The overall project list may change over time as a result of changing walking and bicycling patterns, land use patterns, implementation constraints and opportunities, and the development of other transportation improvements. As projects are implemented, lower ranked projects move up the list.

The criteria used in this prioritization and the weighting of scores are based on community feedback as well as common criteria in grant funding sources. This will help ensure that high-scoring projects are those that both align with community priorities and are likely to be competitive for future funding. The set of criteria was developed by researching industry best practices, incorporating grant funding criteria, and through consultation with the Merced community.

While the prioritization methodology was based on the importance of each project in isolation, the City of Merced has also developed a Feasibility Assessment Tool to help with implementation and funding decisions where limited resources cause need for additional scrutiny beyond what was considered in the prioritization analysis. See Page 88 for more details on the Feasibility Assessment Tool.

Data Sources

In order to score projects, data from various sources were compiled into GIS maps and analyzed. Programs, discussed on Page 203, received a qualitative evaluation regarding how well they meet this Plan's vision and goals.

These datasets include:

- ◆ Statewide Integrated Traffic Records System (SWITRS) – a database that collects data gathered from collisions throughout the state
- ◆ CalEnviroScreen – a data source that uses environmental, health, and socioeconomic information to identify communities most affected by or vulnerable to the effects of pollution
- ◆ Existing bicycle, pedestrian, and transit network facilities
- ◆ Existing zoning – to identify commercial and retail activity generating areas
- ◆ Activity generating destinations: parks, schools, community buildings and more

Through compiling all this data, the City scored all recommended projects based on the evaluation criteria and developed a prioritization list.

Bicycle Prioritized Projects

This Plan is recommending over 90 miles of bikeways across six different bikeway classifications. The total estimated cost of implementing those improvements, based on planning-level estimates for construction only, is about \$14.1 million dollars. When broken down into the off-street network (Class I recommendations) and on-street network (Classes II, III, and IV), about two thirds of the total cost is associated with building the off-street network: \$9.4 million dollars is recommended for 16 miles of Class I paths. The remaining 74 miles of bikeway recommendations have a total estimated cost of \$4.7 million dollars.

Map XVI on the next page shows the bicycle project recommendations. For the full list, see “Appendix C: Bicycle Prioritized Projects Table” on page 160.

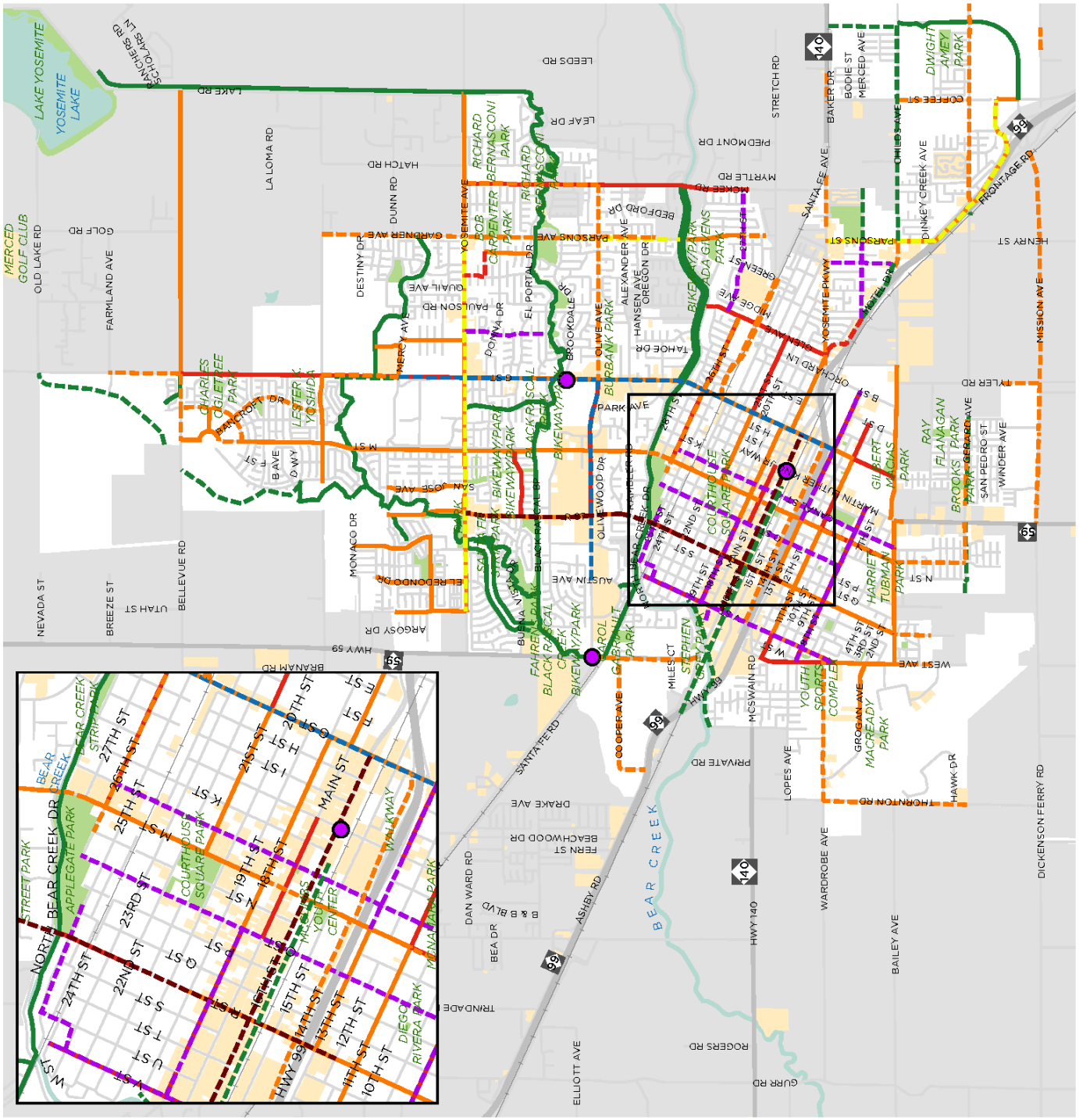
Pedestrian Prioritized Projects

Through input from the Technical Advisory Committee, Citizen Focus Group, and other public engagement activities, fifty (50) locations were identified where pedestrian improvements should be implemented or studied for further reconfiguration or design. Of these identified locations, 26 of them were listed as needing further study. Studies were selected for some of these locations either because they are for corridors or areas, rather than one specific location, and for others because of the complexity of the situation, such as a railroad crossing or limited available space. Studies are recommended in these locations as they do not lend themselves to a specific recommendation in a citywide master plan. The studies encompass accessibility needs, corridor-wide needs, intersections, and crossings for highways and railroads. The projected cost of the studies, not including any infrastructure that the resulting recommendations might later propose, is \$2.3 million.

The remaining 26 locations had specific countermeasures identified that work towards solving reported issues and concerns. In total, the estimated costs of improving these 26 locations would cost about \$9.4 million. Excluding the two projects that include pedestrian-scale lighting, the total cost of these pedestrian improvements drops to \$2.9 million dollars. Excluding sidewalk construction further decreases the total estimated costs \$1.6 million dollars.

Map XVII on Page 117 shows pedestrian gaps and project recommendations. For the full list, see “Appendix D: Pedestrian Prioritized Projects Table” on page 167.

Map XVI: Bicycle Project Recommendations



MERCED

ACTIVE TRANSPORTATION PLAN

BICYCLE RECOMMENDATIONS

- Crossing Improvement
- Class I Shared-Use Path
- Class II Buffered Bike Lane
- Class II Bike Lane
- Class III Bike Route
- Class III Bike Boulevard
- Class IV Separated Bikeway
- Study

EXISTING BIKEWAYS

- Class I Shared Use Path
- Class II Bike Lane
- Class III Bike Route

DESTINATIONS + BOUNDARIES

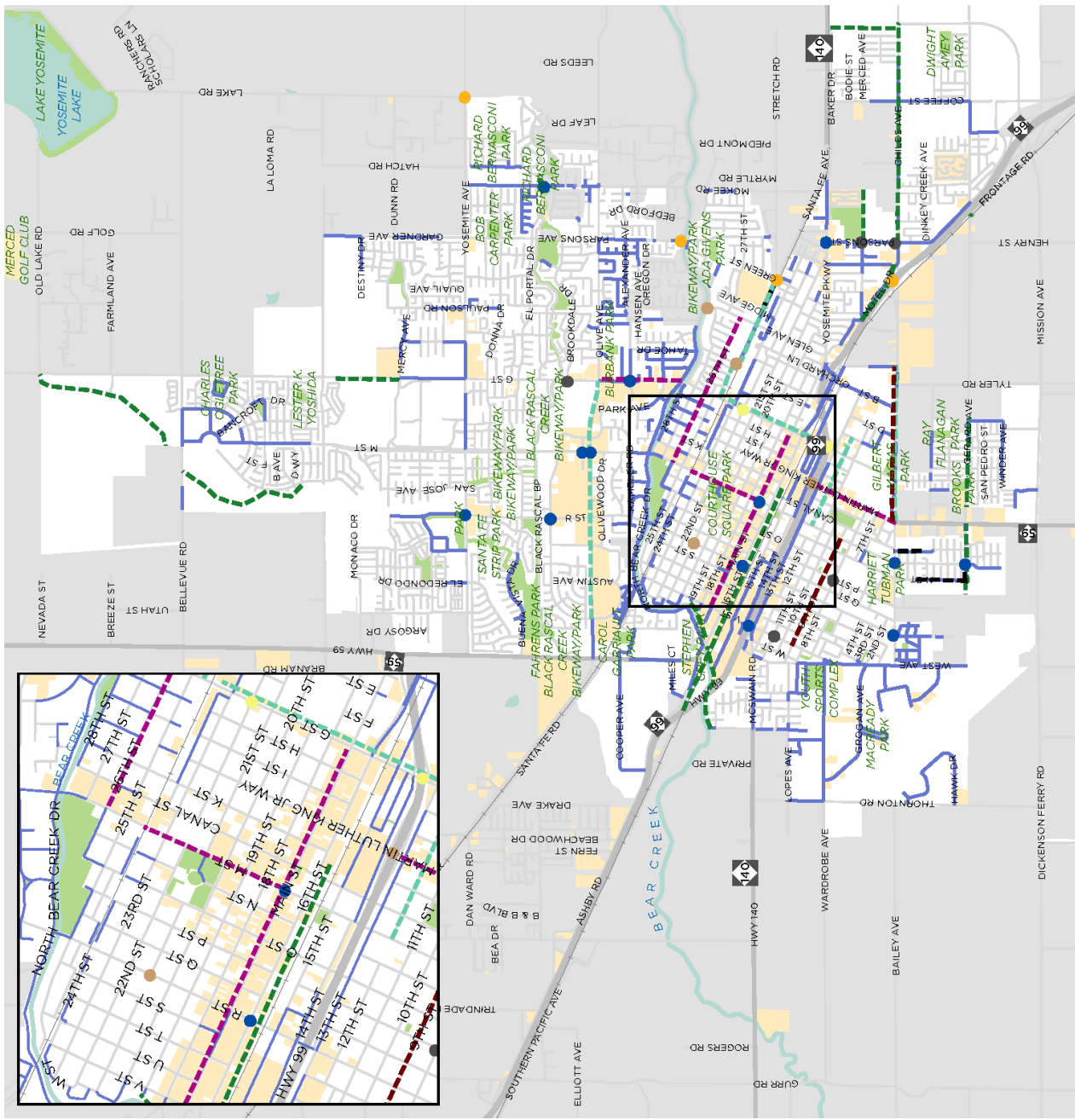
- Commercial
- Park
- Lake



Map produced January, 2018.
Data Source: ESRI, City of Merced.



Map XVII: Pedestrian Gaps and Recommendations



MERCED

ACTIVE TRANSPORTATION PLAN

PEDESTRIAN RECOMMENDATIONS

- Beacon or Stop Control
- Crossing Improvement
- Lighting
- Under/Over Crossing
- Other
- Corridor Improvement
- Crossing Improvement
- Shared-Use Path
- New Sidewalk
- Study
- Sidewalk Gap

DESTINATIONS + BOUNDARIES

- Commercial
- Park
- Lake



Map produced January, 2018.
Data Source: Esri, City of Merced.



Section 9:

Programs



Program Recommendations

Potential Programs

This section presents recommended bicycle-related and pedestrian-related programs that the City of Merced could implement to improve active transportation. Programs are a vital part of a strong walking and bicycling community, fostering an educated and engaged public, supporting safety by enforcing good behavior, and providing ongoing guidance by evaluating the walking and bicycling environment regularly. For more about programs that already are occurring in Merced, see “Existing Programs” on page 175.

Programs are generally categorized into: education, encouragement, enforcement, and evaluation.

- Education programs improve safety and awareness. They may be delivered in schools as pedestrian and bicycle knowledge and skills programs, or provided through media campaigns and partnerships with nonprofit organizations.
- Encouragement programs such as walking/bicycling maps and special events reward current pedestrians and bicyclists and motivate more people to try active transportation.
- Enforcement programs that reinforce legal and respectful driving, bicycling, and walking behaviors can make active transportation feel more secure.
- Evaluation programs provide a method for monitoring implementation of recommendations in this plan and measuring effectiveness of improvements and programs to inform future investments.

Recommended Education Programs

Education programs are important tools for teaching traffic safety rules and laws as well as increasing awareness of walking and bicycling opportunities and existing facilities. Education programs should be designed to reach diverse groups at varying levels of knowledge and skill, as there may be many different audiences: pre-school age children, elementary school students, teens and college students, workers and commuters, families, retirees, the elderly, new immigrants, and non-English speakers. When feasible, education programs should be provided in an online format, supplemental to in-person outreach designed to address individual needs.

Adult Bicycling Skills Classes

Most people do not receive any formal training on safe bicycling practices, the rules of the road, and bicycle handling skills. Bicycling skills classes can address this education gap, and should also include information about basic bicycle mechanics and repairs. The League of American Bicyclists offers classes taught by certified instructors. Information can be found at: <http://www.bikeleague.org/>. This Plan recommends the City coordinate with the Merced Bicycle Coalition to support and publicize adult bicyclist skills classes. Large employers may consider offering classes for employees.

Bicycle Related Ticket Diversion Class

Diversion classes are classes offered to bicyclist offenders of certain traffic violations, such as running a stoplight. California Assembly Bill 209, signed by Governor Brown in September 2015, allows for such programs for violations not committed by a driver of a motor vehicle. This program is a good way to educate bicyclists about rights and responsibilities.

These classes may also be open to non-offenders should they not fill up. Classes can help offenders, as well as adults who are interested in starting to bicycle, an opportunity to learn the proper and lawful way to bicycle on public roads. This Plan recommends that these classes be implemented in the City of Merced. Similar programs exist throughout California. More information can be found at:

- cityoflivermore.net/citygov/police/traffic/bikesafety/diversion.htm
- bikeeastbay.org/biketrafficschool

City Website

Providing information about events, projects, and resources related to walking and bicycling can empower residents to choose active transportation for their daily needs. The City currently has a Bicycle Improvements and Projects page on their website with this information that this Plan recommends the City continue to regularly update and increase the scope of to include all active transportation news and events.

Motorist Education Program

When new bicycle or pedestrian facilities are introduced to the community, motorists should be educated on how the new facility works. Education should include how bicyclists or pedestrians are intended to navigate the area, how motorists should behave, and key conflicts to be aware of. Education could be offered through voluntary classes, a ticket diversion program, or through signs and media outreach. This Plan recommends the City offer motorist education as new bicycle and pedestrian facilities are implemented or before large events such as Bike to Work and School Day or Back to School week. Educational campaigns could utilize sponsored social media posts, as well as City website posting and other media.

Share-the-Road Campaign

On a citywide scale, the City could start a share-the-road or “StreetSmarts” media campaign, similar to those in San Jose, Davis, and other California cities. Developed by the City of San Jose, StreetSmarts uses print media, radio, and television to educate people about safe driving, bicycling, skateboarding, and walking behavior. Local resources for conducting a campaign can be maximized by assembling local experts, law enforcement officers, business owners, civic leaders, and community volunteers. These allies could assist with a successful safety campaign goals based on the local concerns and issues. It may be necessary to develop creative strategies to achieve campaign goals. Community Media Access Collaborative (CMAC), the local cable access public, education and government channels, may be a resource for distributing information through commercials or public service announcements.

Supported by a City grant, a Bicycle Advisory Commission subcommittee created and arranged for a public service announcement to be aired on local radio that included safety education information for bicyclists and motorists. The announcement began airing in May and ran through August to coincide with the beginning of the new school year.

This Plan recommends the City coordinate with partners to implement a traffic safety program such as StreetSmarts. It also recommends working with local media partners to advertise the campaign. More information can be found at getstreetsmarts.org.

Student Bicycle and Pedestrian Traffic Safety Education

Student education programs are an essential component of bicycle and pedestrian education. Students are taught traffic safety skills that help them understand basic traffic laws and safety rules.

Bicycle and Pedestrian Assemblies

Schools should continue and expand in-school assemblies for Kindergarten through high school students addressing important bicycle and pedestrian safety skills. Each assembly is tailored to a particular age group and the program has been annually implemented at every Merced public school.

Bicycle Rodeos

Bicycle rodeos are offered every three years at the middle school level and hosted by League Cycling Instructors. They provide on-bicycle safety and handling skills training, with opportunities to practice on a series of short courses. In Merced, these can be coupled with basic bicycle maintenance information as well as safety assemblies. Student bicycle and pedestrian traffic safety education can benefit the Merced community in a number of ways, listed on the following page.

Bicycle Rodeo Benefits:

- Improving safety by teaching children lifelong safety skills
- Creating awareness with students and parents
- Encouraging families to consider walking or bicycling to school on a more frequent basis

This Plan recommends the City encourage the efforts of Merced County Department of Public Health, Merced City School District, and Merced Union High School District to continue the current programs and expand student bicycling and walking education to Merced County Office of Education schools as well as private or charter schools.

Recommended Encouragement Programs

Everyone from young children to elderly residents can be encouraged to increase their rates of walking and bicycling or to try active transportation instead of driving for short trips. Some encouragement also occurs at the civic level by providing opportunities to participate in the decision-making process alongside the City itself.

Bicycle and Pedestrian Advisory Commission

The City currently has a Bicycle Advisory Commission, an advisory body to the City Council on matters related to improving conditions for bicyclists, promoting bicycling as a means of transportation with the associated benefits of improved air quality, and improving safety conditions for bicyclists. This Plan recommends that the City consider evolving the Bicycle Advisory Commission into a Bicycle and Pedestrian Advisory Commission, shifting the focus to cover all active transportation-related matters.

Because of the Bicycle Advisory Commission's commitment to the Complete Streets philosophy, this is a natural progression for the Commission to advise the City Council on a broader, more holistic, and more inclusive set of topics. The updated Commission would best serve Merced by encouraging its membership to have a mixture of interest and expertise on the needs of cyclists, pedestrians, schools, and persons with disabilities. Having members with these diverse backgrounds and interests would also align with the State of California's requirements for funding opportunities.

The Bicycle Advisory Commission's scope needs to broaden to continue to have the level of meaningful impact on the City of Merced that it has since its inception. The culture of the State of California has evolved in such a way that pedestrian and bicycle projects and programs are viewed through the lens of active transportation as a whole rather than separately, which is particularly relevant for the funding of active transportation infrastructure. This Plan does not recommend the creation of a separate Pedestrian Advisory Commission; active transportation as a whole should be considered concurrently and comprehensively.

Safe-Routes-to-School Program

Helping children walk and bicycle to school is good for children's health and can reduce congestion, traffic dangers, and air pollution caused by parents driving children to school. Safe-Routes-to-School programs use a "6 Es" approach using Engineering, Education, Enforcement, Encouragement, Equity, and Evaluation strategies to improve safety and encourage children walking and bicycling to school. The programs are usually run by a coalition of city government, school and school district officials, and teachers, parents, students, and neighbors.

A Safe-Routes-to-School program could incorporate many existing programs in Merced that are currently being operated by various agencies and organizations. Pedestrian and bicycle assemblies, walking school buses, bicycle rodeos, and other school encouragement programs can be offered at more schools while adding or expanding additional activities. A program could also include bicycle giveaways for students.

This Plan recommends the City coordinate with local partners to pursue grant funding to develop and implement a cohesive Safe-Routes-to-School program in partnership with Merced County Department of Public Health, Merced City School District, and Merced Union High School District.

Walking school buses are a group of children walking to school with one or more adults. They can be as informal as a group of families walking their children to school or as structured as a planned route with meeting points, a timetable and a schedule of trained volunteers.

Bicycle Helmet Giveaways

The California Office of Traffic Safety (OTS) grant program can fund bicycle helmets for giveaways to children at schools or children observed bicycling without wearing helmets. Typically this type of program is a partnership with the Police Department. This Plan recommends the City coordinate with local partners to seek an OTS grant and conduct helmet giveaways for children.

Bike Light Giveaways

Local bicycle coalitions can raise funds to purchase inexpensive bike lights. They can set up a station a popular bike route and hand out lights to passing bicyclists who need them. This can be especially effective in early fall, around Daylight Savings Time. This Plan recommends the Merced Bicycle Coalition develop a plan to give away bike lights on an annual basis. The City could support grant application development, such as by providing a letter of support.

Employer-Based Encouragement Programs

Though the City cannot host employer-based bicycle and pedestrian encouragement programs, it can work with or provide information to employers about commuting on foot and by bicycle. Popular employer-based encouragement programs include hosting a bicycle user group to share information about how to bicycle to work and to connect experienced bicyclists with novice bicyclists.

Employers can host bicycle classes and participate in Bike to Work and School Day, or offer credits or health incentives for commuters who bike or walk to work. This Plan recommends the City encourage employers to implement bicycle and pedestrian programs.

Launch Party for New Bikeways

When a new bikeway is built, some residents will become aware of it and use it, while others may not realize that they have improved bikeway options available. A launch party and campaign is a good way to inform residents about a new bikeway. It can also be an opportunity to share other bicycling materials such as maps and brochures, and answer resident questions about bicycling. These events are well-suited to media coverage, with elected official appearances, ribbon cuttings, and a press release that includes information about the new facility, other existing and future facilities, and any timely information about bicycling.

This Plan recommends the City coordinate with the Merced Bicycle Coalition to host a launch party for all high-priority projects recommended in this Plan as well inform the public of all new bikeways through its bicycling website.

Open Street Events

Open Streets are periodic street closures that create a temporary park that is open to the public for walking, bicycling, dancing, hula hooping, roller-skating, and so on. They promote health by creating a safe and attractive space for physical activity and social contact, and are cost-effective compared to the cost of building new parks for the same purpose. Events can be weekly, annually, or one-time occasions. This Plan recommends the City establish an Open Streets program.

Bicycle Friendly Community

The League of American Bicyclists (LAB) recognizes communities that improve bicycling conditions through education, encouragement, enforcement, and evaluation programs. Communities can achieve platinum, gold, silver, or bronze status or an honorary mention. Bicycle friendliness can indicate that a community is healthy and vibrant. Like good schools and attractive downtowns, bicycle friendliness can increase property values, spur business growth, and increase tourism.

Merced applied for Bicycle Friendly Community status in the past, and received feedback from LAB on steps to take to achieve bronze status. This Plan recommends the City pursue Bicycle Friendly Community status again in the future, after progress has been made towards implementing projects, policies, and programs in this Plan. Many aspects of the Plan are being developed with an eye to improving bicycle-friendliness along the lines of the suggestions provided by LAB to achieve bronze status after the most recent application.

More information and application steps can be found at: <http://www.bikeleague.org/community>.

Safe Routes to Transit Program

Similar to a Safe-Routes-to-School program, a Safe Routes to Transit program includes infrastructure improvements and program efforts focused around transit stops and stations. Many of the recommendations in this Plan can be folded into a Safe Routes to Transit program by developing targeted efforts around transit, such as educational media posted at transit stops or stations, targeted enforcement at locations near transit, or incentive programs for transit users who walk or bicycle to transit.

Recommended Enforcement Programs

Enforcement programs enforce legal and respectful use of the transportation network. The bicycle and pedestrian safety analysis and community identified needs indicate enforcement programs will help educate motorists, bicyclists, and pedestrians about the rules and responsibilities of the road.

Speed Feedback Signs

Higher-speed traffic discourages walking and bicycling and can make pedestrians and bicyclists uncomfortable. At higher speeds, motorists are less likely to see and react to a bicyclist or pedestrian and are not always able to actually stop in time to avoid a crash. Higher-speed crashes are also much more lethal to pedestrians and bicyclists. Speed feedback signs display the speed of passing motor vehicles, with the intent that motorists will slow down if they are made aware of their speed. This Plan recommends the Police Department and Public Works operate mobile speed feedback signs.

Targeted Police Enforcement

Targeted enforcement consists of focused efforts of police officers to enforce traffic laws in specific locations with a history of traffic violations or collisions. Partnering with the Police Department on targeting drivers that fail to yield to pedestrians or bicyclists appropriately can help to raise awareness of the law, and these campaigns can produce sustained improvements in driver behavior. It can also improve bicyclist and pedestrian compliance with applicable laws by enforcing appropriate behavior.

Targeted enforcement programs can also help raise awareness and increase compliance with new laws, such as California's three-foot passing distance established by SB 1371. Efforts should emphasize reducing behaviors that create the greatest risk or potential conflict, and care should be taken that programs do not unfairly target specific demographics or modes of transportation. Targeted enforcement should begin with education and positive reinforcement before punitive actions. This could include education-enforcement, where officers stop individuals and discuss how to correct the unsafe behavior they observed without issuing citations. Many communities have used similar programs to distribute bike lights to cyclists riding without them at night.

This Plan recommends that the Police Department conduct targeted enforcement at locations known for noncompliance with traffic laws and at high conflict or high crash areas.

Recommended Evaluation Programs

Evaluation programs help the City measure how well it is meeting the goals of this Plan and the General Plan, and evaluation is a key component of any engineering or programmatic investment. It is also a useful way to communicate success with elected officials, as well as local residents.

Annual Crash Data Review

Reviewing bicycle-related and pedestrian-related crashes and near-misses on an annual basis can help the City identify challenging intersections or corridors. This Plan recommends the City and Police Department review of bicycle and pedestrian related crash data on an annual basis to identify needed improvements.

Annual Report Card

Many communities prepare annual report cards to update elected officials and members of the public on progress being made to improve walking and bicycling, and towards implementation of an adopted plan. This report card could be a simple report outlining the projects and programs advanced over the previous year, and sharing any available statistics about safety improvements or increased active transportation trips. This Plan recommends the City prepare and distribute an annual report card documenting progress towards implementation of this Plan.

Bicycle and Pedestrian Community Survey

Survey evaluation programs measure and evaluate the impact of projects, policies, and programs through questionnaire survey forms. Typical evaluation programs range from a simple year over year comparison of US Census Journey to Work data to bicycle and pedestrian counts and community surveys. Bicycle and pedestrian community surveys act as methods to evaluate not only the impacts of specific improvement projects but can also function as way to measure progress towards City goals, such as increased bicycle and pedestrian travel for trips one mile or less. This Plan recommends a bicycle and pedestrian related community survey regarding the walking and bicycling environment in Merced be conducted in conjunction with updates of this Plan, roughly every five years.

Program Prioritization

Methodology

As detailed above, an important part of the *Active Transportation and Safe-Routes-to-School Plan* is the development and implementation of education, encouragement, enforcement, and evaluation programs to accompany the engineering and infrastructure complements represented in the project list. This section details implementation recommendations for a number of such programs which would benefit the City of Merced in its efforts to increase safe active transportation.

Short-term program recommendations should be implemented during year one of Plan adoption. Medium-Term program recommendations should be implemented in two to four years of Plan adoption. Long-Term programs should be implemented in five or more years after Plan adoption.

Table AC identifies the partner that is most likely to have the ability to organize and implement each program as the “Lead Organization” and other entities that may be able or necessary to provide assistance with those programs as “Partner Organizations”.

Table AC: Recommended Programs by Implementation Timeframe

Type	Program	Lead Organization	Partner Organizations
Short-Term Programs (Recommended Implementation: Year One after Plan adoption)			
Education	City Website	City	
	Motorist Education Program	City	
	Share the Road Campaign	City	
	Youth Organization Education	Youth organizations	City
Encouragement	Bike to Work and School Day	Merced Bicycle Coalition	City
	Group Rides	Merced Bicycle Coalition	
	Launch Party for New Bikeways	City	Merced Bicycle Coalition
Enforcement	Speed Feedback Signs	Police Department	
Evaluation	Annual Crash Data Review	City Public Works/Planning	Police Department
	Annual Report Card	City	
Medium-Term Programs (Recommended Implementation: Years Two to Four after Plan adoption)			
Education	Adult Bicycling Skills Classes	Merced Bicycle Coalition	City
	Bicycle and Pedestrian Assemblies	School Districts, Merced Bicycle Coalition	City
	Bicycle Rodeos	School Districts	City
Encouragement	Bicycle and Pedestrian Advisory Commission	City	
	Safe-Routes-to-School Program	City, Merced Bicycle Coalition	School Districts, Public Health
	Poster Contest	School Districts	City
Long-Term Programs (Recommended Implementation: Year Five and beyond after Plan adoption)			
Education	Bicycle Related Ticket Diversion Class	Police Department	City
Encouragement	Bicycle Helmet Giveaways	City	Merced Bicycle Coalition
	Bike Light Giveaways	City	Merced Bicycle Coalition
	Employer-Based Encouragement Programs	City	Local employers
	Open Street Events	City	Merced Bicycle Coalition, Police Department
	Safe Routes to Transit Program	City	
	Bicycle Friendly Community	City	
Enforcement	Targeted Police Enforcement	Police Department	City
Evaluation	Bicycle and Pedestrian Community Survey	City	

Section 10: Policies



Policies

Policy Recommendations

In addition to infrastructure and other physical changes that can be undertaken, there are also policy and guidance changes that can be made to improve the designs of future developments and street changes to better integrate pedestrian and bicycle infrastructure into these designs and developments. Suggested policy changes are listed below by policy area.

Municipal Code

To support increased walking and bicycling in the city, the following revisions to the municipal code are recommended.

Bicycle Registration

In response to the suggestion from the Bicycle Advisory Commission and backed by the research performed for this ATP, the City has recently eliminated its mandatory bicycle licensing requirement and instead encourages registration to a national database. This Plan recommends that Merced initiate media and awareness campaigns in conjunction with the Merced Bicycle Coalition to encourage and educate cyclists about existing national registration websites. While the City has not officially endorsed any one registry, Bike Index (bikeindex.org) and the National Bike Registry (nationalbikeregistry.com) are among the most widely used and accessible options.

Bicycle Parking

Recommended Bicycle Racks

No bicycle network is complete without secure places to park bicycles near desired destinations in visible, well-situated locations. Bicycle racks for short-term parking are relatively inexpensive and can be installed in unused space along building frontages, in furniture zones on sidewalks, or in underutilized parking spaces (often called a bike corral, see “Additional Types of Bicycle Parking” on Page 131 for more). The rack types illustrated in Figure 46 are consistent with those recommended in the Association of Pedestrian and Bicycle Professionals’ Essentials of Bike Parking. Figures 47 and 48 on the next page show local examples of these recommended styles of bicycle parking.

Figure 46: Recommended Bicycle Parking Facilities



Additional Types of Bicycle Parking

An additional type of bicycle parking that is gaining popularity among municipalities is the bike corral. Typically placed in the street, replacing an automobile parking spot, corrals can accommodate a number of bikes dependent on design, size, and configuration and can be stylized to fit a number of aesthetics. Bike corrals are useful parking devices as not only do they accommodate a relatively large number of bikes, but they also can be especially useful in areas with narrower sidewalks; placing bike parking in the street keeps all available sidewalk width for pedestrians or other uses.

Figure 47: 18th Street Bike Racks



Figure 48: 17th Street Bike Corral



Merced's bike parking guidelines should also incorporate policies that are inclusive of "non-standard" bikes. These types of bikes include cargo bikes, useful for transporting both cargo and children, and bikes that are specially designed for those with certain physical impairments. Due to their unique design, these bikes may not easily be locked to a typical U-rack. While the volume of these bikes is likely relatively small, there may be a need to install parking devices that can accommodate them in popular downtown, transit, or shopping areas. Alternatively, the City could also set up a request program, where residents who have these bikes can suggest where these devices should be installed; this ensures that the racks serve those who need them.

Bicycle Racks to Avoid

Conversely, there are a number of bicycle racks in use which can cause damage to bicycles of certain sizes and types. Often called 'wheel bender' racks, these racks provide space and support for only one wheel, often only usable by the front wheel. Other racks which are not recommended provide support only at one point on the bicycle, or limit the type of bicycle which can be stored. The rack types illustrated below are consistent with those noted as Racks to Avoid by the Association of Pedestrian and Bicycle Professionals' Essentials of Bike Parking.

Figure 49: Bicycle Racks to Avoid



Currently Exempt Land Uses

The existing municipal code language requires all future multi-family and nonresidential land uses provide some level of both short-term and long-term bicycle parking. There are eight uses that are exempt from providing bicycle parking. While these are generally auto-oriented and freight-oriented uses such as gas stations, auto repair shops, and warehouses, the transportation needs of the facilities' employees should also be considered. These employees may choose to bike to and from these locations; this should be both encouraged and the sites should be prepared to properly handle these transportation choices. There may be little to no short-term parking demand for these uses, but the employees may generate long-term parking needs.

For more industrial or auto-focused land uses, it may be beneficial to calculate the number of required bicycle parking spaces based on the number of employees as opposed to the square footage of the facility. A sample Bicycle Parking Ordinance from Change Lab Solutions²⁷ recommends at least two short-term parking spaces and one long-term parking space per 20 employees for industrial uses.

Calculating the Number of Required Short-Term and Long-Term Spaces

Currently, bicycle parking requirements are tied to the amount of required motor vehicle parking; it may be beneficial to make the bicycle requirements independent of the automobile requirements. There is an important distinction to make between these groups' needs as bicyclists and automobile users interact with the surrounding environment very differently. As bicyclists are typically going slower and can more easily stop than automobile traffic, they have more opportunities to examine and interact with their surroundings. Similar to pedestrians, bicyclists are more likely to stop and explore something that catches their attention than automobile drivers. By providing sufficient bicycle parking that serves commercial and civic uses, this opens up additional possibilities for these road users to stop, explore, eat, shop, and spend money at local businesses.

The full list of bicycle parking requirements from the Change Lab Solutions sample ordinance can be found in Table AD. All of the parking requirements in this list are based on building uses/characteristics and not a percentage of an automobile requirement.

Reporting Damaged Parking Facilities

Bike racks and other facilities are designed and intended to last for an extended period of time with little maintenance. Over time, wear and tear and vandalism may still require that a parking device be replaced or adjusted. The Merced Department of Public Works should set up a system where residents and visitors can report damaged facilities, triggering a the City to inspect the facilities in question and perform any necessary maintenance. The Merced Connect application could make this a very easy and efficient reporting system. The system should be noted on the Public Works website and could be posted on the parking facilities with an informational sticker.

²⁷ <http://www.changelabsolutions.org/publications/CA-bike-parking>

Table AD: Sample Bicycle Parking Requirements

General Use Category	Specific Use	Number of Short-Term Bicycle Parking Spaces Required	Number of Long-Term Bicycle Parking Spaces Required
Residential	Multi-Family Dwelling with more than 4 units: (a) without private garage or equivalent separate storage space for each unit	[.05] per bedroom or [1] per [20] units	[.5] per bedroom or [1-4] per [4] units
	(b) with private garage or equivalent separate storage space for each unit	[.05] per bedroom or [1] per [20] units	None
Commercial	Office Building	[1] per each [20,000] sq. ft. of floor area	[1-1.5] per [10,000] sq. ft. of floor area
	General Retail	[1] per each [5,000] sq. ft. of floor area	[1] per [10,000-12,000] sq. ft. of floor area
	Grocery	[1] per each [2,000] sq. ft. of floor area	[1] per [10,000-12,000] sq. ft. of floor area
	Restaurant	[1] per each [2,000] sq. ft. of floor area	[1] per [10,000-12,000] sq. ft. of floor area
	Indoor Parking Garage	[2] spaces	[1] per [20] motor vehicle spaces
	Outdoor Parking Lot	[1] per [20] motor vehicle spaces	[2] spaces
Civic	Non-assembly cultural (e.g., library, government buildings)	[1] per each [8,000 -10,000] sq. ft. of floor area	[1 -1.5] per each [10-20] employees
	Assembly (e.g., church, theater, stadiums, parks)	Spaces for [2-5] per cent of maximum expected daily attendance	[1- 1.5] per each [20] employees
	Schools (K-12)	[1] per each [20] students of planned capacity	[1] per each [10-20] employees and [1] per each [20] students of planned capacity for grades 6-12
	Colleges and Universities	[1] per each [10] students of planned capacity	[1] per each [10-20] employees and [1] per each [10] students of planned capacity or [1] per each [20,000] sq. feet of floor area, whichever is greater
Industrial	Manufacturing and Production, Agriculture	[2] spaces (Can be increased at discretion of Planning/ Zoning Administrator)	[1] per 20 employees

Additional End of Trip Facilities

To further encourage bicycling as a practical commute option, additional destination amenities such as showers, lockers, and changing rooms can be provided. These amenities are valuable resources for cyclists, as they allow for riders to wash up after a ride or at least change clothes, reducing barriers, both physical and perceived, to cycling as a viable commute option.

These amenities can be amended into the zoning code for future nonresidential developments above a minimum size based on square footage, number of employees, or other measurements. Additionally, municipalities and bicycle groups can partner with other local agencies and facilities such as bike shops, gyms, and others that may already have existing end of trip facilities to further empower bicycle commuters and expand access to them.

Bicycle Parking at Special Events

At festivals, open streets events, and other gatherings, valet bicycle parking can be established to provide a monitored temporary bicycle parking area to encourage users to travel to the event by bicycle. The following is sample language from Change Lab Solutions that could be used to create such a policy:

PURPOSE: *The purpose of this policy is to provide sufficient safe and convenient bicycle parking at special events involving street closures to encourage bicycling as a form of transportation, which in turn reduces traffic congestion, air pollution, wear and tear on roads, and use of fossil fuels, while fostering healthy physical activity.*

CONDITIONS ON STREET CLOSURE PERMITS: *As a condition of a permit for the closure of a street for a special event in which the daily number of participants is projected to be [1,000] or more, monitored bicycle parking shall be provided by the event sponsor (or a designee) for at least [1] % of expected daily participants beginning [½ hour] before and ending [½ hour] after the time of the event each day of the event.*

REQUIREMENTS FOR MONITORED PARKING: *Monitored bicycle parking shall include the presence, at all times, of one attendant, or more as needed, to receive bicycles, dispense claim checks, return bicycles, and provide security for all bicycles.*

LOCATION: *All monitored bicycle parking shall be located within [500] feet of at least one regular entrance or access point to the event.*

PUBLICITY AND SIGNAGE: *All publicity, including signs, for the event shall state the availability of monitored bicycle parking, its location, and cost, if any. All event maps shall include the location of monitored bicycle parking. If monitored bicycle parking is not within eyeshot of each entrance, signs shall be provided to ensure easy way finding.*

INSURANCE COVERAGE AND FEES: *The event sponsor or designee must provide insurance coverage for the monitored bicycle parking in case of damaged or stolen bicycles, and may charge users a fee to cover the cost of providing the monitored parking.*

One method that could be used to ensure compliance of such a policy is to have special event bicycle parking be one of the items necessary for the issuance of the event's permit.

Bicycle Parking Considerations in Construction Areas

Construction is a something every municipality must deal with. Dependent on the location and scale of the project, both road and sidewalk closures can occur to accommodate the work. When these closures happen, it is critical to minimize the impacts on both pedestrians and cyclists. Sidewalk infrastructure like bike racks may sometimes need to be removed. Using a policy, like the sample below, can minimize the impacts to these users as they are typically the ones most affected by sidewalk and road detours and closures. This sample language also comes from Change Lab Solutions.

The City of Merced should use the following or similar language to provide guidance for the accommodation of removed bicycle parking for construction purposes:

In the event that the City of Merced has authorized a permit holder to remove existing bicycle parking in the public right-of-way due to construction, the permit holder shall replace such bicycle parking no later than the date of completion of the construction. At least [7] days prior to removal of such bicycle parking, the permit holder shall post, in the immediate vicinity of the bicycle parking area, a weather-proof notice, with a minimum type size of [1] inch, specifying the date of removal. In the event that any bicycles remain parked on the date of the removal, such bicycles shall be stored for a reasonable period, not less than [45] days, and a conspicuous, weather-proof notice shall be placed as close as feasible to the site of the removed bicycle parking containing information as to how to retrieve a removed bicycle.

If bicycle parking is likely to be removed, pursuant to this section, for more than [120] days, it shall, to the extent possible, be temporarily re-sited, in coordination with the appropriate department, to a location as close to the original site as feasible, pending completion of the construction. If the temporary site is not clearly visible from the original site, the permit holder shall post a conspicuous, weather-proof notice in the immediate vicinity of the original site informing bicyclists of the location of the temporary site.

Bike Rack Request Program

Without detailed study and field research, it can be very hard to predict the demand for bicycle parking. In order to best serve residents and businesses, the City of Merced should set up a bicycle rack request program. This would be a program where residents and local businesses could request bike racks and corrals be installed in non-residential areas. These programs can be set up in a variety of ways, but the ultimate goal is to have the public help the City understand where the demand for bike parking is; this allows the City to install additional racks where there is a documented demand.

Bicycle Self-Repair Stations

Bicycle self-repair stations are a type of street furniture where users can lift their bikes onto a stand and perform minor repairs and adjustments. Each station comes with a small collection of attached tools, an air pump, and a built-in stand to hold bikes. These stations are usually located in popular areas such as parks, near transit stations, and other popular bicycle areas. For more about existing stations, see Page 41.

Removal of Abandoned Bicycles

The prompt removal of abandoned bicycles is critical as these bikes effectively eliminate bicycle parking spaces and can deter use of bicycle parking areas. They may also encourage theft of parts from parked bicycles. A policy should be established that formalizes the process for reporting, tagging the bike(s) in question, removal, and storage/disposal of the removed bike that is compliant with the California Civil Code.

Urban Form/Development

Multiple City of Merced documents state that new developments should follow a compact urban form, allowing public transit, walking, and bicycling to be encouraged. While encouraging transit, walking, and bicycling are great action items and should definitely be encouraged, it is critical to partner that encouragement with appropriate infrastructure. Building sidewalks, bikeways, paths, and improved crossings are very important to growing the active transportation network, improving safety, and enticing additional users. Policies should both encourage the desired behavior and solidify the link between policy goals and action items needed for implementation and results.

Some documents stressed the importance of ensuring that new developing areas should be designed as mixed-use, pedestrian-and transit-friendly neighborhoods or urban villages. These policies should also be inclusive of building connections to other neighboring communities; this may involve connections across major arterials or other common active transportation barriers. These new developments may have retail establishments, parks, schools, and other amenities/attractions that those in neighboring communities should be able to easily access and enjoy as well. These developments are designed to have destinations internally accessible by multiple modes, and the same should be said for access from neighboring areas.

Enticing More People to Use Active Transportation

Found in many policies, the City of Merced has a strong desire to encourage more people to use active transportation around the city. These policies are anchored around built environment conditions and infrastructure. While these items do play a role in increasing mode shift, the city should also do more to entice people to ride and walk. Municipalities around the state and the country have implemented various programs to attract new users such as folding or electric bike subsidy/discount programs, supplying free secure bicycle parking, offering business incentives to local employers, hosting open streets events, and others. One current policy that Merced can review to determine if it would entice more active transportation users downtown is its ban on skateboarding in the downtown area.

Bicycle Infrastructure

Existing policy and design documents should be updated to include “newer” types of infrastructure. New facility treatments and designs have been developed in recent years, and new treatments will likely continue to be developed and studied. Class IV separated bikeways, bike boxes/two-stage turn boxes, bicycle signals, and other traffic control devices should be included in all future relevant updates for these documents. For more on some of these tools, see “Examples of Bicycle Facilities from Other Communities” on page 29. Industry best practices should be referenced as well, and these can include sources like the National Association of City Transportation Officials, the American Association of State Highway and Transportation Officials, and the Federal Highway Administration. When performing roadway maintenance, updates, and reconfigurations, efforts should be made to redesign the striping of streets to better serve cyclists by adding bike boxes, bike lanes, sharrows, and other low-cost improvements. These amenities should also be considered when designing and implementing new facilities.

Pedestrian Infrastructure

The Merced Urban Design Guidelines describe the need to provide marked crossings in Core Commercial areas and at signalized intersections along and crossing arterial streets. Marking these crossings should be considered the minimal treatment. Arterials are typically multilane roadways that can take extended periods to cross, especially for seniors, children, or those with mobility impairments. In some cases, crossing these roadways can be made safer, easier, and more enticing by being enhanced. Items like curb extensions, high visibility crosswalks, advanced stop lines, median refuge islands removing slip lanes, and leading pedestrian intervals are some of the enhancements that can be applied to crossings, particularly when already performing roadway maintenance, updates, and reconfigurations or when implementing new facilities.

Electric Scooters and Bike Rentals

A growing trend in California has been the emergence of motorized scooters and bike rentals as a major means of transportation. While personally-owned motorized scooters are relatively easy to manage via existing infrastructure and policy, the advent of easy-to-rent electric scooters and bikes, whether pedal or electric, and the companies that manage them are a unique challenge for many cities. The ability for any person to download a free application for a mobile device and within minutes be able to unlock and use a motorized scooter or bicycle is a novel and exciting mobility option for many, particularly in communities with large numbers of visitors. Whether communities are host to tourists, guests of locals, prospective residents, prospective students, people on business, or others, the impact of these options has been undeniable in a brief period of time. In 2018 alone, 84 million trips were taken on shared bikes and scooters in the United States, more than twice as many as in 2017.

Merced has a reinvigorated hotel industry, proximity to Yosemite National Park, the presence of a UC campus, and a number of other factors that suggest both the permanent and temporary populations present in Merced will rise in the coming years. While these rental companies are not yet prominent in the community, this ATP recommends that the City of Merced pursue a study of how best to regulate, if at all, motorized scooters and bike rentals within its boundaries. A number of considerations should be taken into account in whatever form the study is conducted, including but not limited to:

- ◆ Safety concerns
 - ◇ Proliferation of infrequent and untrained riders
 - ◇ Minimum age of riders
 - ◇ Helmet requirements, realistic implementation strategies thereof
 - ◇ Limitation of top speed of electric scooters and bikes
 - ◇ Lawfulness of sidewalk use
 - ◇ Dangers to pedestrians from sidewalk-riding scooter and bicycle users, regardless of legality
 - ◇ Liability and maintenance issues
- ◆ Education concerns
 - ◇ Renters understanding their rights and responsibilities as a roadway user
 - ◇ Renters understanding Merced-specific regulations
 - ◇ Motorists understanding their rights and responsibilities when interacting with scooters and bicycles
 - ◇ Appropriate signage reinforcing correct and lawful scooter and bicycle use
- ◆ Impacts on growth and development patterns, particularly in Downtown and near college campuses
- ◆ Benefits and hazards to charging and relocating scooters and electric bikes to independent contractors, largely local residents working in a gig economy
- ◆ Parked rental vehicles obstructing sidewalks and other paths of travel
- ◆ Theft and security concerns
- ◆ Economic impacts and opportunities

Connecting Actions & Policies to Plan Recommendations

There are infrastructure and natural hazards in Merced that can act as obstacles and barriers that discourage walking and bicycling. Throughout the process of developing this *Active Transportation and Safe-Routes-to-School Plan*, existing conditions in Merced were reviewed and analyzed. Some of the recommendations that came from those analyses were:

- ◆ Improve design and development standards to create a built environment more conducive to walking and bicycling
- ◆ Make it easier and safer for children and families to walk to any destination, particularly schools
- ◆ Reduce collisions

“Reducing the Impact of Barriers” on page 77 discusses both physical and perceived barriers that can deter walking or biking in Merced. Physical barriers include creeks, railroad tracks, and highways. Mental or perceived barriers can include underpasses, poor lighting, and a disjointed bicycle network. This document references the recommended project list and emphasizes the importance of certain projects that would do the most to mitigate and minimize these barriers. Specific attention was given to recommendations that would:

- ◆ Reduce collisions
- ◆ Improve the size and connectivity of both the bicycle and pedestrian networks
- ◆ Create/improve connectivity over major physical barriers
- ◆ Improve conditions in downtown and near major transit areas

Both the recommendations here, and in other locations throughout the *Active Transportation and Safe-Routes-to-School Plan* were all made with the intentions mentioned above. While recommendations were made for all known and reported physical barriers, correcting the mental barriers can only in part be accomplished by improving physical infrastructure. Shifting city policies and standards will also be necessary to help break down these perceived barriers. These changes should be accompanied by education and trainings that can better acquaint the public with new facilities and policies; helping to change their perceptions about both specific spot problems and the overall Merced walking and bicycling environment.

Supporting Other Agencies

This plan encourages the City of Merced to actively support other agencies and entities in their efforts to improve active transportation, particularly ones that have a statewide reach. One example of such an improvement would be the addition of a component of the drivers’ license permitting process that incorporated motorists’ interactions with cyclists and pedestrians.

Section 11:

Public Participation and Community Engagement



Public Participation and Community Engagement

Introduction

A key focus of the *Active Transportation and Safe-Routes-to-School Plan* (ATP) development was to engage in meaningful outreach to the public, and particularly to Merced's disadvantaged communities, to ensure that their needs are reflected in the ATP. This section details the specific organizations, stakeholders, and interest groups that the Plan has and will continue to engage, and lays out the channels, strategies, and tools harnessed in this effort.

Project Background

A regional hub within California's agricultural center, Merced is a diverse city rich with educational and economic opportunities, as well as cultural amenities. With the newest University of California campus opened in 2005, and the future development of a high-speed rail station, Merced is poised as a regional leader and has immense potential to enhance an already vibrant community with improved active transportation opportunities.

The City of Merced was successful in securing an award from Round II of the California Department of Transportation (Caltrans) Active Transportation Program. Combining this award with local funds and in-kind service, the City sought to develop an *Active Transportation and Safe-Routes-to-School Plan* that updates the 2013 Bicycle Transportation Plan and brings Merced in line with current Active Transportation Program project and program grant funding requirements, standards, and criteria.

The ATP is intended to result in increased active transportation throughout Merced, with particular emphasis on increasing these modes in disadvantaged communities, creating opportunities for active transportation to and from school (Safe-Routes-to-School projects and programs), and connectivity to the future high-speed rail station. The Plan seeks to address the many challenges, including Barriers to Active Transportation, Safety and Comfort, and Funding Availability.

Critical to the development of a meaningful plan was significant engagement with the members of the Merced community who currently use active modes of transportation. This important consultation allows the project team to better understand the nuanced challenges users face, and to collaboratively develop realistic and appropriate improvements.

Why Engagement?

Public outreach is a standard component of development of an *Active Transportation and Safe-Routes-to-School Plan* and other municipal planning documents. Many public outreach efforts follow a standardized process of notices and meetings, focused on providing relevant information to the public in an efficient manner. Unfortunately, outreach often includes static messages and one size fits all public workshops, and thus often fails to speak to the situation or needs of stakeholders.

By contrast, community engagement is a multi-faceted approach that seeks to uncover the concerns of various stakeholder groups and communities through a context and culturally-appropriate approach, which often involves iterative, targeted messages through channels specific to the community of focus. To put it simply, outreach can be a one-directional presentation, while engagement is a multi-directional conversation.

An engagement campaign informed through consultation with community leaders is more likely to be meaningful and reach the communities desired than one shaped by independent research of the project team. Accordingly, the ATP team has developed this Strategy through consultation with community leaders at a December 2016 project kick-off meeting, as well as feedback received from the Citizen Focus Group and Technical Advisory Committee formed by the City of Merced for this project.

Why Disadvantaged Communities?

Many of the people who rely most on active transportation in their daily lives such as students, low-income individuals, communities of color, and people with mobility impairments are often left out of public planning processes that shape the transportation networks they rely on. In developing the *Active Transportation and Safe-Routes-to-School Plan*, Merced seeks to understand and address the needs of residents of all Merced communities, especially those reliant on active modes of travel to access school, work, and daily needs.

The City identified several key stakeholder groups of particular importance for engagement during development of this plan. Based on proximity to identified barriers to active transport, need to access facilities in central Merced, and current travel patterns, these communities were the focus of the engagement efforts outlined in this plan.

Disadvantaged Communities

The City of Merced identified a set of stakeholder groups of importance to engage during development of this plan. Through consultation with community leaders at the Plan Kick-Off meeting, work with City staff, and feedback from Citizen Focus Group and Technical Advisory Committee, the following identification of focus areas was developed.

Identification of Focus

The identification of stakeholder groups for deep engagement begins with broad categories outlined by the City of Merced in the Plan Request for Proposals document:

- ◆ K-8 students
- ◆ High school and post-secondary students
- ◆ Hmong and Latino communities
- ◆ Low-income residents
- ◆ Individuals with mobility impairments

Through the initial meeting held as part of the Project Kick-Off, the above list was fleshed out to include specific organizations, establishments, and key contact people to ensure these communities are effectively engaged in the plan development process.

Community Identification

Disadvantaged communities in Merced are diverse, and concerns held by each are important to include in the framing of the AT/SRTS Plan. Table AE outlines the major disadvantaged communities identified through work with Merced community leaders, which were referenced during planning of engagement events and public workshops.

Table AE: Community Identification

<i>Name</i>	<i>Character</i>
K-8 Students	Small stature; dependent on family members for transportation; still developing active transportation skills
High School and Post-Secondary Students	Often independent active transportation users; often rely on transit
Hmong Community	May reside in areas of Merced with disconnected active transportation infrastructure; language barrier to government; potential for mistrust of government
Latino Community	May reside in areas of Merced with disconnected active transportation infrastructure; language barrier to government; potential for mistrust of government
Low-Income Residents	May reside in areas of Merced with disconnected active transportation infrastructure; likely to depend on transit and active modes
Individuals with Mobility Impairments	Often depend on transit and active modes of transport; disproportionately impacted by disconnected active transportation networks

Identifying Disadvantaged Communities

In order to identify disadvantaged communities in Merced, The CalEnviroScreen 3.0 tool was used. CalEnviroScreen is a screening methodology that can be used to help identify California communities that are disproportionately burdened by multiple sources of pollution. It is used by the Active Transportation Program grant application to identify the populations that are more sensitive to pollution. In the grant application scoring, projects that are within higher levels of pollution vulnerability receive higher scores, increasing the likelihood of receiving funding. See “CalEnviroScreen” starting on Page 33 for more discussion and maps showing the CalEnviroScreen scores for Merced, along with the existing bikeway and pedestrian networks overlaid by the CalEnviroScreen scores. The communities with higher scores are the focus of the Merced AT/SRTS Plan engagement efforts.

Engagement Channels and Strategies

The City of Merced identified a set of stakeholder groups of importance to engage during development of this plan. Through consultation with community leaders at the Plan Kick-Off meeting, work with City staff, and feedback from Citizen Focus Group and Technical Advisory Committee, the following identification of focus areas was developed.

Channel Identification

The identification of engagement channels has been developed through multiple meetings with stakeholders. The emphasis in these exchanges was clear, the City needed to reach people where they already are. Channels identified include:

- ◆ Public school site meetings and events
- ◆ Outreach before and after the school day to reach parents
- ◆ Community events such as markets, festivals, and meetings
- ◆ Shopping centers frequented by communities of concern
- ◆ Transit hubs
- ◆ Community centers

Channels of engagement identified in early conversations include ideas of locations that concerned residents frequent on a daily or weekly basis, to allow the project team to reach these stakeholders without requesting attendance at a meeting. Further, these are places where stakeholders are more likely to feel safe and comfortable, as opposed to an unfamiliar setting like City Hall or the like where public meetings are often held.

Engagement Strategies

During the Kick-Off meeting in December 2016, community leaders were clear that traditional public outreach strategies would not be effective at garnering meaningful community participation from Merced's diverse disadvantaged communities. Traditional workshops held in English with translation available, at City Hall or a similar government facility, were not deemed useful for the type of engagement this plan development process wishes to achieve.

The most promising strategies to engage members of Merced's disadvantaged communities are ones that demonstrate the valuation of participants' time, knowledge, and experience as residents and users of the transportation system. Formatting the engagement in culturally-appropriate ways, with tailored presentations and materials, is also critical. Several strategies to achieve these goals included:

- ◆ Make primary presentation in the language of participants, instead of in English. Provide translation to English for project staff. This shows respect to the community and communicates that the meeting is created with the participants in mind, rather than facilitating only the staff's needs.
- ◆ Provide materials in an appropriate tone and reading level to reach lay people. The general recommendation is a sixth grade reading level; acronyms and technical terms should be avoided.
- ◆ When possible, use facilitators from trusted community organizations. Compensate the organizations for their participation.
- ◆ Bring meetings to the communities, instead of holding at a central government facility such as City Hall. This provides convenience to participants, as well as a comfortable, familiar setting.
- ◆ Hold pop-up engagement tables at existing community events as a way to reach large number of community members without asking busy people to take time out of their day to attend yet another meeting.
- ◆ Provide supportive services at the events to make participation easy: child care, appropriate refreshments for the time of day, transit passes for return travel if held outside the community.

In addition to general ideas for effectively engaging Merced's diverse communities, specific facilitation strategies to be considered include:

- ◆ World Café Facilitation, providing a short introduction to topics of discussion and projects at a number of tables. Each table has a specific topic, and participants go to table they are interested in. Moving between tables is encouraged.
- ◆ Open Space Facilitation, arranging people into groups by primary languages, to talk at table with facilitators in their native language. Topics and themes are not preset at these tables, the discussion will be whatever attendees want to talk about. Each table's facilitator acts as a guide to these conversations.

Promising Organizations and Venues

In discussions with community leaders, several community based organizations in Merced were identified as promising partners for assisting with participants recruiting and/or co-hosting of events:

- ◆ Healthy South Merced
- ◆ Environmental Literacy Group
- ◆ Healthy House
- ◆ Health Department
- ◆ Hmong Lao Family
- ◆ Building Healthy Communities
- ◆ Cultiva La Salud

In addition, several local venues which often host meetings for community based organizations were identified as possible locations to host events within the community:

- ◆ Assembly of God Church
- ◆ Golden Valley Health Center
- ◆ Boys & Girls Club
- ◆ Golden Valley High School
- ◆ Tenaya Middle School

Local events identified where the City could set up a table to spark casual conversations with stakeholders include the Certified Farmers Market and the Merced Art Hop.

ATP Engagement

Extensive engagement has been conducted as part of this Plan; this will continue as the Plan matures. In order to be have the most impact, outreach involved the City, consultant, the Technical Advisory Committee (TAC) and Citizen Focus Group (CFG) Members, as well as the general public. Involving local stakeholders and leaders is the most efficient way to gather meaningful participation. Table AF shows the outreach schedule throughout the process.

In order to achieve meaningful engagement for the City of Merced AT/SRTS Plan, the project team attempted to think outside of the traditional public outreach box. The stakeholders who use active transportation most, many rely upon it for daily life, are often not reached by traditional outreach processes. The City made a concerted effort to meet residents where they are as a focus of the strategy outlined in this document. Setting up tables and having casual conversations with stakeholders at existing events, such as events at schools, community festivals, or markets, are more likely to garner participation and solicit feedback from members of groups identified by the City of Merced as critical to the success of this Plan.

In addition to the formation of the TAC and CFG bodies, the City reached out to the public at events such as the July 27, 2017 Street Faire with a table, activities for children to encourage their involvement and allow parents to have the opportunity to engage with staff, and both map-based and text-based materials to allow feedback in whatever form participants preferred. Another successful instance of meeting the public in their community was the November 30, 2017 Workshop held at Tenaya Middle School in South Merced. This event was held primarily in Spanish, with English and Hmong interpretation available as well. More about this event can be found on Page 148. These events were some of the most beneficial instances of public outreach, and yielded valuable information and feedback on the creation of this ATP.

Table AF: Engagement Schedule

Date	Meeting	Attendees	Outcome/Anticipated Outcome
February 24, 2017	Citizens Focus Group (CFG) Meeting	CFG Members	Orientation to Plan process
April 18, 2017	Technical Advisory Committee (TAC) & CFG Meeting	TAC & CFG Members	Goal-Setting, High Priority Connections, Engagement Priorities
June 21, 2017	California Walks Community Pedestrian and Bicycle Safety Workshop	Students, Community Members, Agency staff	Orientation to walkability/bikability concerns, outreach tools, walk audit and recommendation development
July 27, 2017	TAC Meeting	TAC members	Collected input on revenue sources and uses, constraints and opportunities
July 27, 2017	Street Faire outreach	Public	Collected public input on needs
August 22, 2017	Bicycle Advisory Committee Meeting	Bicycle Advisory members	Orientation to Plan process, Collected input on user count locations
September 19, 2017	TAC & CFG Meeting	TAC & CFG members	Presented low-cost countermeasures, progress on Plan
November 29 & 30, 2017	Public Workshops	Public	Reviewed and commented on project and program recommendations
January 23, 2018	TAC & CFG Meeting	TAC & CFG members	Reviewed and commented on project and program recommendations
May 29, 2018	TAC & CFG Meeting	TAC & CFG members	Reviewed and endorsed project and program prioritization
April 23, 2019	Bicycle Advisory Committee Meeting	Bicycle Advisory Committee Members	Review and endorse draft ATP/ SRTS
May 22, 2019	TAC & CFG Meeting	TAC & CFG Members	Review and endorse draft ATP/ SRTS
July 15, 2019	City Council Meeting	City Council Members, Public	Approve final ATP/SRTS

November Workshop Feedback

This section summarizes feedback received at November 2017 workshops held to gather community input on the draft recommendations and prioritization criteria for the Merced Active Transportation & Safe-Routes-to-School Plan. Two workshops were held on consecutive evenings to increase opportunities for community members to participate. The first workshop, held at the Merced Multi-Cultural Arts Center on November 29 from 6:30-8:30 p.m., was not attended by any residents. The reason for this is unclear, but as a result there is no documented feedback from this workshop.

The second workshop was held at Tenaya Middle School on November 30 from 6:30-8:30 p.m.; fourteen people attended. The workshop presentation and discussions were conducted in Spanish, with English and Hmong interpretation available. Several community groups in South Merced were contacted in advance of the workshop, specifically advertising that it would be held in Spanish to encourage participation by residents who may not have participated in a primarily English-language event.

Participants watched a brief presentation on the project background and types of improvements included in the draft recommendations, and were then invited to comment on the draft recommendation maps, vote on prioritization criteria, and ask questions of project staff. Feedback from these discussions is included below.

Recommendations Feedback

Comments received on the draft recommendations are included in Table MRCO. Comments in the table have been translated from Spanish into English where applicable. Figures 50-58 include feedback on the bicycle and pedestrian maps that were used at this meeting to collect data.

Table AG: Feedback on Recommendations

Context/Location	Comment
G St near Mercy Hospital	Bicycle Path crossing G Street at Mercy Hospital - the proposed Class I path would be a grade separated crossing connecting the bicycle path north of Merced College that terminates at G Street, with the bicycle path north of Merced Hospital that also terminates at G Street
Olive Ave & Hwy 59	Bicycle Path extending over Olive Avenue along the Portland cement rail spur. The path would be a Class I path extending over Olive Avenue, eliminating the current safety challenges bicyclists face crossing at Olive and Hwy 59
University Dr	Traffic calming needed – speeding cars
W 16th St & SR 59	Dangerous intersection. Stop sign needed.
R St near 21st St	Existing light for school zone flashes 24 hr/day, so most people ignore it. Consider changing to flash only during school hours.
Fairfield St & M St (north of Olive Ave)	Safety concerns

Table AG, Continued: Feedback on Recommendations

Context/Location	Comment
Mimi Ln & Childs Ave	Bus pullout. Make it safer for passengers to get on and off.
Railroad near Herbert Hoover Elementary	Students – unsafe behavior near RR tracks. Underpass (G Street) feels unsafe, so people don't use it.
22nd St near G St	Needs lighting
Global	Lighting for shared use paths – need at night for safety
Childs Ave (full length)	Sidewalk, wider road/fix the infrastructure, add bike lanes. This truck route is a speeding concern for multiple schools.
Global	Stray dog problem
Global	Make bicycle lanes green so drivers see them
Global	Education needed for bicyclists and drivers
M St corridor and Childs Ave corridor	Both corridors need traffic calming – fast cars and trucks
Neighborhood south of Childs Ave near West Ave	Speeding concerns in neighborhood. Needs sidewalks, pedestrian scale lighting, and traffic calming.
M St & Cartmell Dr	El Cap High School students are at the bus stop at 6:14 a.m. in the dark each morning. Lights would address safety concerns – both traffic and personal safety
M St & Childs Ave	Crosswalks needed across M Street for children who walk to Alicia Reyes Elementary School, children who get the bus to El Cap HS, and pedestrians walking to GVHC and Tenaya Middle
Childs Ave	We would like to see improvements to Childs Avenue since it's a heavily traveled route by GVHS and Weaver Middle School students. It's dark, and sidewalks/crosswalks are missing.
P St & 8th St	Stop signs needed - students cross here
11th St & V St	Consider traffic signal. Students cross here. Several collisions have occurred at this intersection – very important.
Hoover Middle School	Install stop signs near Hoover Middle School. Area is full of students and senior citizens.
9th St between V St and M St	Speeding issues – needs stop sign or traffic calming. This segment also needs street lighting – lots of kids use this route
N St from Cartmell Dr to Gerard Ave	Needs sidewalks.
Gerard Ave from N St to M St	Needs sidewalks and midblock crosswalk with RRFB to help students get to bus stop in front of Golden Valley High School
Gerard Ave & M St	Needs crosswalk
Canal St from Alamar Apartments to Childs St	Needs sidewalks. Lots of kids walking to Alicia Reyes ES, Tenaya Middle School, and bus stop to travel to El Capitan HS, MUHSD, and Golden Valley Health Center. This segment also needs street lighting.

150



151



Figure 52: Enhanced Item 1 from Pedestrian Feedback

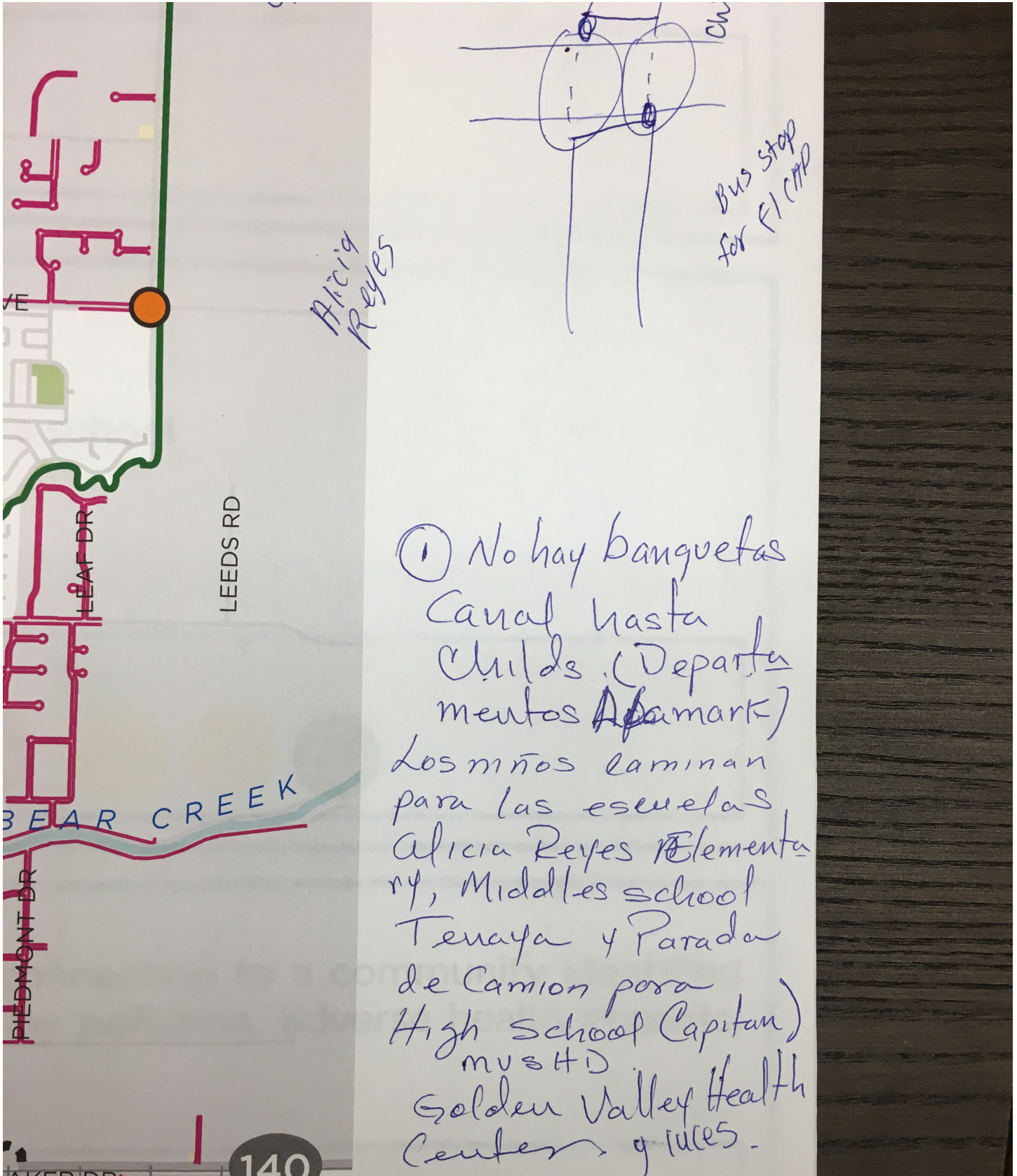


Figure 53: Enhanced Item 4 from Pedestrian Feedback

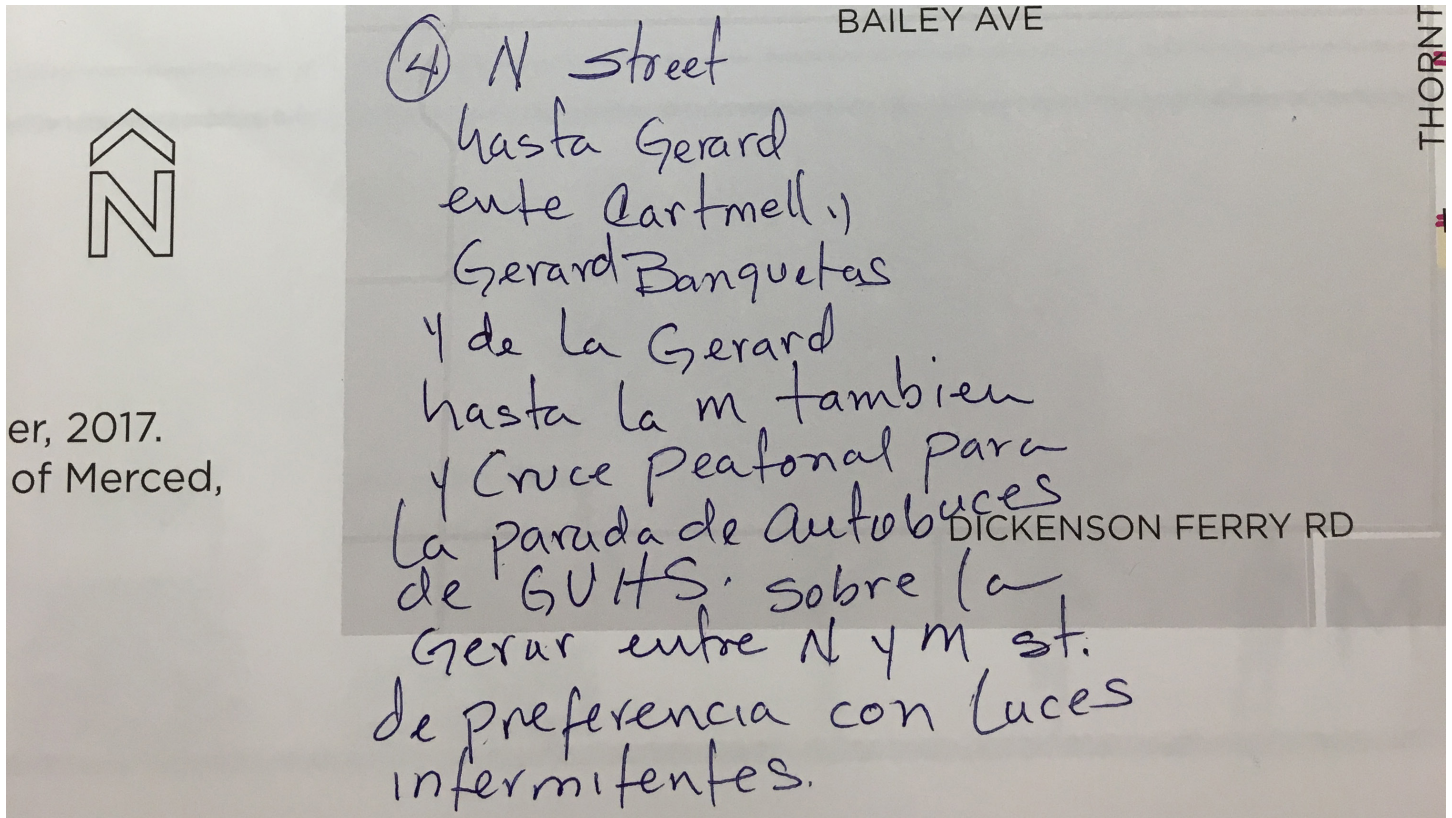


Figure 54: Enhanced Item 5 from Pedestrian Feedback

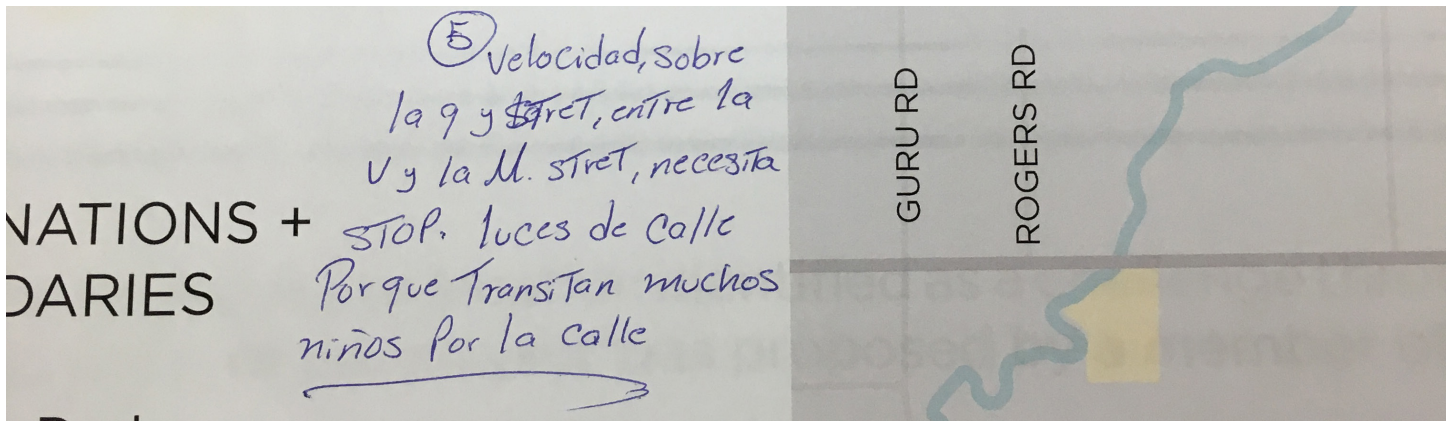


Figure 55: Enhanced Note from Pedestrian Feedback

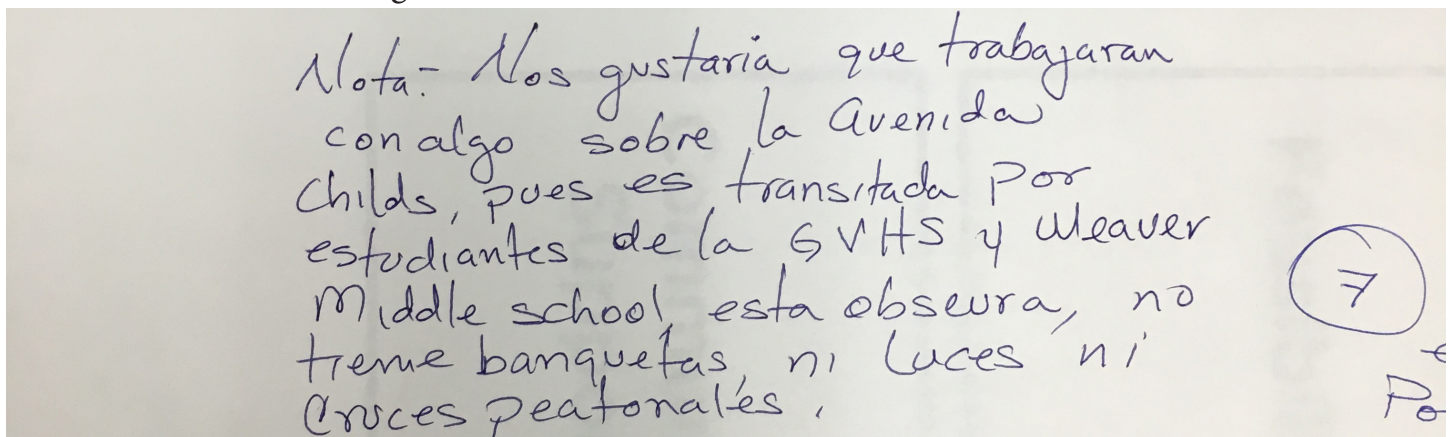


Figure 56: Enhanced Item 6 from Pedestrian Feedback

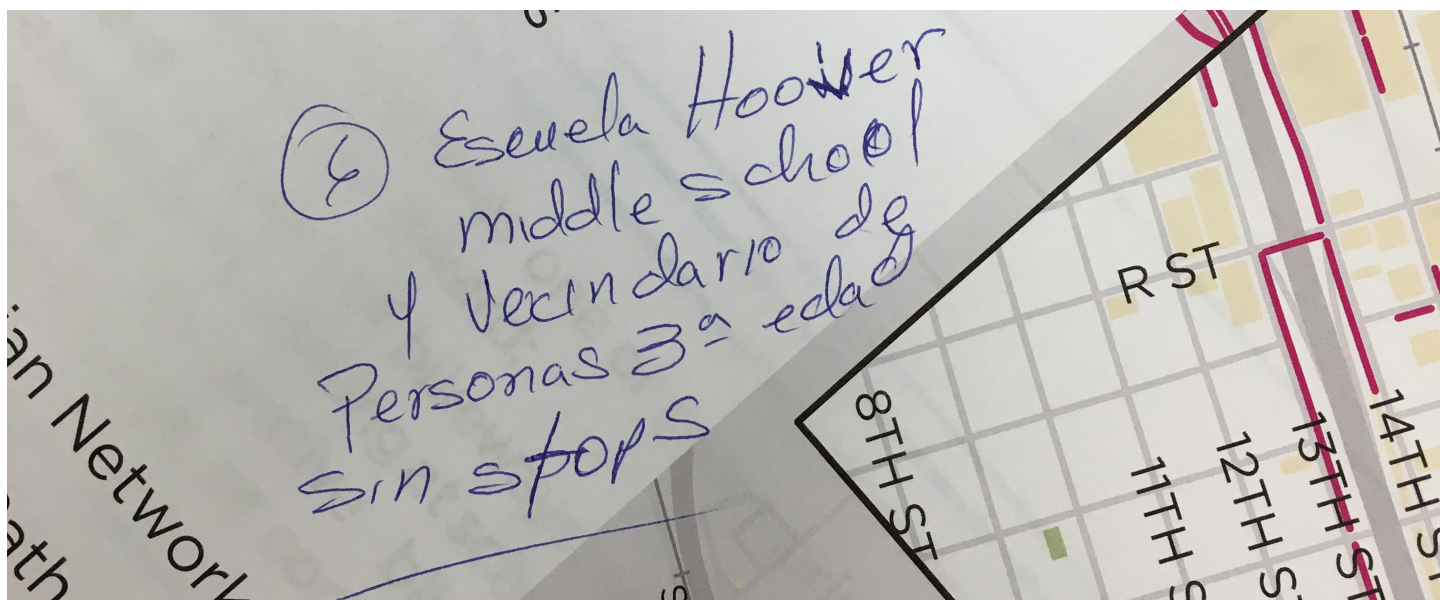


Figure 57: Enhanced Item 7 from Pedestrian Feedback

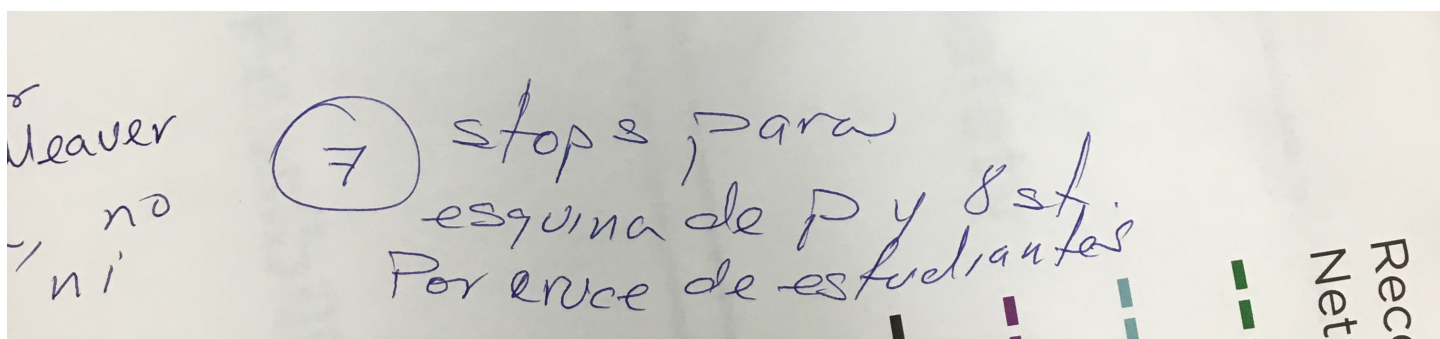
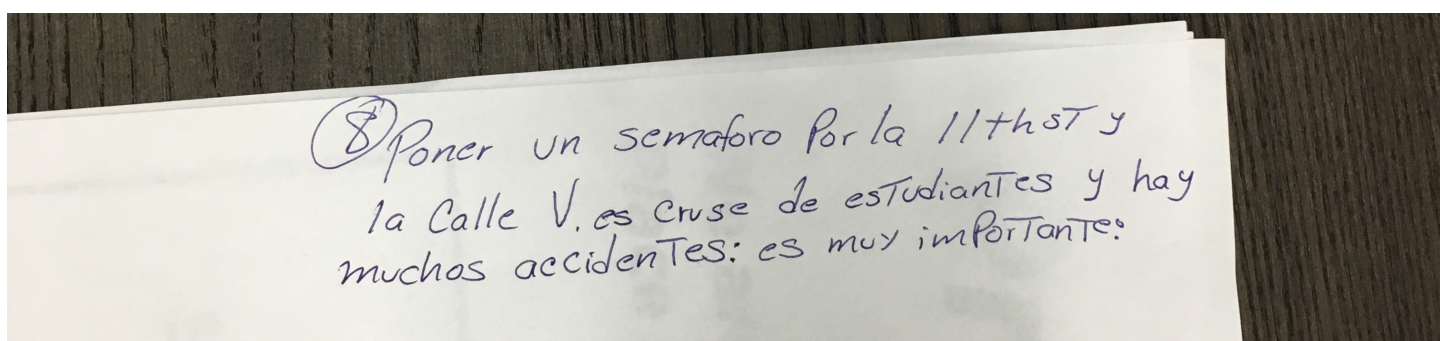


Figure 58: Enhanced Item 8 from Pedestrian Feedback



Prioritization Feedback

Workshop participants were invited to provide input on the prioritization of projects by voting on the criteria they felt was most important. Workshop boards in Spanish and English described six criteria: safety, feasibility, community support, activity generator connection, Safe-Routes-to-School, and disadvantaged community connection. Each participant was given three dots with which to vote. Criteria and voting results are shown in Table AH and Figures 59 and 60.

Table AH: Prioritization Criteria Feedback

Criteria	Description	Votes
Safety	The project addresses a bicycle or pedestrian related collision within 100 feet of the project	2
Bicycle Friendly Community	<p>The project addresses one or more priority action items identified by the LAB to achieve a bronze Bicycle Friendly Community Award:</p> <ul style="list-style-type: none"> ♦ Increase mileage of bikeways, especially on arterial streets ♦ Increase bicycle parking at schools, transit stops, and other activity generators ♦ Implement innovative bikeway designs: colored pavement markings, separated bikeways, or contra-flow bikeways 	3
Community Support	The project is at a location identified as a challenge through public engagement activities, or the project was proposed by a member of the TAC or community	4
Activity Generator Connection	This project provides or improves a connection to a destination (schools, transit stops, community buildings, commercial areas, parks, and more), including bicycle parking projects	3
Safe-Routes-to-School	The project is located within ½ mile of a school	17
Disadvantaged Community Connection	The project falls within or provides a direct connection to a community identified as being disproportionately burdened by pollution, adverse health impacts, and/or low socio-economic status	8

Figure 59: Prioritization Criteria Feedback- Dots (English)

Project Prioritization Criteria

Merced
Community
Workshop

We are seeking your feedback to help prioritize our project recommendations. Which criteria are most important to you?
Place up to 3 dots in the corresponding boxes.

Safety

The project addresses a bicycle or pedestrian related collision within 100 feet of project

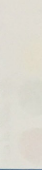
Place sticker here:



Activity Generator Connection

The project provides or improves a connection to a destination (schools, transit stops, community buildings, commercial areas, parks, and more), including bicycle parking projects

Place sticker here:



Feasibility

The project addresses one or more priority action items identified by the LAB to achieve bronze award:

- Increase mileage of bikeways, especially on arterial streets
- Increase bicycle parking at schools, transit stops, and other activity generators
- Implement innovative bikeway designs: colored pavement markings, separated bikeways, or contra-flow bikeways

Place sticker here:



Safe Routes to School

The project is located within 1/2 mile of a school

Place sticker here:



Community Support

The project is at a location identified as a challenge through public engagement activities, or the project was proposed by a member of the TAC or community

Place sticker here:



Disadvantaged Community Connection

The project falls within or provides a connection to a community identified as being disproportionately burdened by pollution, adverse health impacts, and/or low socio-economic status

Place sticker here:



Merced Active Transportation & SRTS Plan

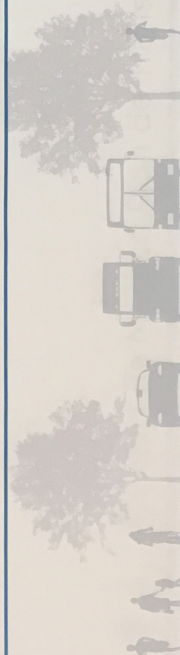


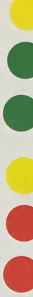




Figure 60: Prioritization Criteria Feedback- Dots (Spanish)

Criterios para Priorizar Proyectos

Merced
Taller
Comunitario

Queremos su opinión para poder priorizar los proyectos recomendados. ¿Qué criterio es más importante para usted?
Coloque sus tres puntos sobre los criterios que más le importen.

<p>Seguridad</p> <p>El proyecto mejorará una zona a 100 pies o menos de donde haya sucedido un choque peatonal o ciclista</p> <p>Ponga su punto aquí:</p> 	<p>Conexión a Generador de Actividad</p> <p>El proyecto genera o mejora una conexión con un destino importante (escuela, transporte público, áreas comerciales, parques, oficinas comunitarias y más) incluyendo bicicletacionamientos</p> <p>Ponga su punto aquí:</p> 
<p>Factibilidad</p> <p>El proyecto mejorará una o más de las prioridades identificadas por las Liga de Ciclistas Americanos para obtener el Premio Nivel Bronce:</p> <ul style="list-style-type: none"> • Incrementar millas de ciclocarriles, particularmente en calles principales • Incrementar bicicletacionamientos en escuelas y otros destinos • Implementar diseños innovadores de ciclovías: marcas de color en el pavimento, ciclovías separadas o ciclovías de contraflujo <p>Ponga su punto aquí:</p>	<p>Caminos Seguros a la Escuela</p> <p>El proyecto se ubica a 1/2 milla o menos de una escuela</p> <p>Ponga su punto aquí:</p> 
<p>Apoyo Comunitario</p> <p>El proyecto está en un lugar identificado por la comunidad como un área complicada o el proyecto fue propuesto por algún miembro de la comunidad</p> <p>Ponga su punto aquí:</p> 	<p>Conexión a Comunidad de Bajos Recursos</p> <p>El proyecto se encuentra en o conecta con una comunidad de bajos recursos, con altos índices de contaminación o niveles bajos de salud pública</p> <p>Ponga su punto aquí:</p> 



Ciudad de Merced Plan de Transporte Activo y Caminos Seguros a la Escuela



Appendix A: Bicyclist Count Data

			0:00 - 0:15	0:15 - 0:30	0:30 - 0:45	0:45 - 1:00	1:00 - 1:15	1:15 - 1:30	1:30 - 1:45	1:45 - 2:00	Peak Hour Totals
M St & 11th St	Commuter	Y (<14)									0
		YA (15-25)				1					1
		M (25-50)			1						1
		SS (>50)			1					1	1
		Subtotal	0	0	2	1	0	0	0	1	3
	Recreation	Y (<14)			1				1		1
		YA (15-25)		1							0
		M (25-50)						1		1	1
		SS (>50)						1			1
		Subtotal	0	1	1	0	0	2	1	1	3
	TOTAL		0	1	3	1	0	2	1	2	6
G St & Bear Creek	Commuter	Y (<14)						3	2		0
		YA (15-25)	2	7	1	4			1	3	14
		M (25-50)	4		4	2	1	2	2	4	10
		SS (>50)	2			1	1	1	1	2	3
		Subtotal	8	7	5	7	2	6	6	9	27
	Recreation	Y (<14)									0
		YA (15-25)									0
		M (25-50)			1	1			1		2
		SS (>50)		1		2				2	3
		Subtotal	0	1	1	3	0	0	1	2	5
	TOTAL		8	8	6	10	2	6	7	11	32
M St & 18th St	Commuter	Y (<14)									0
		YA (15-25)					1			2	3
		M (25-50)							2		2
		SS (>50)		1						1	1
		Subtotal	0	1	0	0	1	0	2	3	6
	Recreation	Y (<14)									0
		YA (15-25)	2					1			1
		M (25-50)					1		2	2	5
		SS (>50)		1				1		1	2
		Subtotal	2	1	0	0	1	2	2	3	8
	TOTAL		2	2	0	0	2	2	4	6	14
R St & Olive St	Commuter	Y (<14)				1					1
		YA (15-25)	1							1	1
		M (25-50)	5	1		3	2	1		1	9
		SS (>50)			2	1	1	1		1	3
		Subtotal	6	1	2	5	3	2	0	3	14
	Recreation	Y (<14)									0
		YA (15-25)	2				2		1		2
		M (25-50)				3	1		2		3
		SS (>50)		1			1				1
		Subtotal	2	1	0	3	4	0	3	0	6
	TOTAL		8	2	2	8	7	2	3	3	20

Appendix B: Pedestrian Count Data

			0:00 - 0:15	0:15 - 0:30	0:30 - 0:45	0:45 - 1:00	1:00 - 1:15	1:15 - 1:30	1:30 - 1:45	1:45 - 2:00	Peak Hour Totals
M St & 11th St	Commuter	Y (<14)	2								2
		YA (15-25)		12			2	1	1	3	12
		M (25-50)	1				1			1	1
		SS (>50)		1						1	1
		Subtotal	3	13	0	0	3	1	1	5	16
	Recreation	Y (<14)			1				1		1
		YA (15-25)	2		2						4
		M (25-50)			2				2		2
		SS (>50)		1	1				1		2
		Subtotal	2	1	6	0	0	0	4	0	9
		TOTAL	5	14	6	0	3	1	5	5	25
G St & 28th St/ Bear Creek	Commuter	Y (<14)					1	8	4		9
		YA (15-25)	3	6	7	6	1	2	1	2	16
		M (25-50)	1		1		2	2			5
		SS (>50)					2	1	1		3
		Subtotal	4	6	8	6	6	13	6	2	33
	Recreation	Y (<14)								1	0
		YA (15-25)									0
		M (25-50)	1	1	4	2	3		6	8	9
		SS (>50)	3	1	2	2				3	4
		Subtotal	4	2	6	4	3	0	6	12	13
		TOTAL	8	8	14	10	9	13	12	14	46
M St & 18th St	Commuter	Y (<14)									0
		YA (15-25)								1	0
		M (25-50)	3							2	3
		SS (>50)	1			1					2
		Subtotal	4	0	0	1	0	0	0	3	5
	Recreation	Y (<14)	2	1					2		3
		YA (15-25)		1	1	3			1		5
		M (25-50)		3	1		3	3	1	1	4
		SS (>50)		1						1	1
		Subtotal	2	6	2	3	3	3	4	2	13
		TOTAL	6	6	2	4	3	3	4	5	18
R St & Olive St	Commuter	Y (<14)	1		1						2
		YA (15-25)		1	1	2		3	1		4
		M (25-50)	3	1	3		1	1		2	7
		SS (>50)		2	1						3
		Subtotal	4	4	6	2	1	4	1	2	16
	Recreation	Y (<14)							1		0
		YA (15-25)	1		1		3		2		2
		M (25-50)	1	3	3	1	1	3	2		8
		SS (>50)			3					1	3
		Subtotal	2	3	7	1	4	3	5	1	13
		TOTAL	6	7	13	3	5	7	6	3	29

Appendix C: Bicycle Prioritized Projects Table

For more information about improvement types, see “Existing Facilities” on page 22. For details about the scoring criteria and prioritization methodology, see “Infrastructure Projects” on page 112.

Project ID	Location/ Street	Start	End	Bikeway Type	Spot Improvement Detail/ Notes	Safety (20pts)	Community Support (15pts)	Activity Generator Connection (15pts)	Safe-Routes-to-School (30pts)	Disadvantaged Community (20pts)	Total
B9	16th Street	G Street	V Street	Study	Study for Class II Buffer	20	15	15	30	20	100
B56	M Street	11th Street	Bear Creek Path	Class II	Study lane width reduction to 11 foot minimum to allow installation of bike lane with green paint	20	15	15	30	20	100
B39	G Street	13th Street	Mercy Avenue	Class IV	Segments in areas with more frequent driveways may need to be Class II buffer. Will also create a traffic calming effect for pedestrians	15	15	15	30	20	95
B89	R Street	Northwood Drive	Yosemite Avenue	Study	Study narrowing travel lanes to 11 foot minimum to allow for Class IV	15	15	15	30	20	95
B90	R Street	12th Street	Northwood Drive	Study	Study for Class IV	15	15	15	30	20	95
B23	Canal Street	Childs Avenue	26th Street	Class III Blvd		15	10	15	30	20	90
B61	M Street	Childs Avenue	11th Street	Class II	Recommend bike lane with green paint	2	15	15	30	20	82
B6	13th Street	B Street	M Street	Class III Blvd		10	5	15	30	20	80
B100	V Street	West Avenue	24th Street	Class III Blvd		10	15	15	30	10	80
B58	M Street	Childs Avenue	Mission Avenue	Class II	Recommend bike lane with green paint	2	15	10	30	20	77

Appendix C: Bicycle Prioritized Projects Table

<i>Project ID</i>	<i>Location/ Street</i>	<i>Start</i>	<i>End</i>	<i>Bikeway Type</i>	<i>Spot Improvement Detail/ Notes</i>	<i>Safety (20pts)</i>	<i>Community Support (15pts)</i>	<i>Activity Generator Connection (15pts)</i>	<i>Safe-Routes-to-School (30pts)</i>	<i>Disadvantaged Community (20pts)</i>	<i>Total</i>
B8	14th Street	V Street	G Street	Class II		10	0	15	30	20	75
BS3	G Street/ Olive Street In-tersection			Study	Study intersection reconfiguration to make more bike/ped friendly	15	15	15	30	0	75
B72	O Street	8th Street	North Bear Creek Drive	Class III Blvd		5	5	15	30	20	75
B74	Olive Avenue	G Street	R Street	Class IV		20	10	15	30	0	75
B10	26th Street	M street	Glen Avenue	Class II	Study will be required to remove parking in one direction (alternating) on 6th to M Street segment	2	15	15	30	10	72
BS2	G Street/ Brookdale Drive				Install bicycle-friendly push-button to trigger to adjacent pedestrian beacon	10	15	15	30	0	70
B71	O'Sullivan Path to Main Con-nection	16th Street	25th Street	Class I	(From end of O'Sullivan Bike Path near W 25th St): 25th Street > U Street > W 23rd Street > V Street > Main Street	10	10	15	15	20	70
B106	Yosemite Parkway	Main Street	Baker Drive	Class II	Caltrans jurisdiction	10	5	15	30	10	70
B34	E Santa Fe Ave	G Street	City Limits	Class III Blvd		0	10	15	30	10	65
B107	G Street	"Mercy Hospital Path"	Bike path south of Korbel Ave	Class I	Would include enhancing the safety of crossing of G Street	0	15	15	15	20	65
B93	Santa Fe Drive	McKee Road	G Street	Class II		5	5	15	30	10	65
B105	Yosemite Avenue	San Augustine Avenue	Gardner Avenue	Class II Buf-fer		10	10	15	30	0	65

Appendix C: Bicycle Prioritized Projects Table

<i>Project ID</i>	<i>Location/ Street</i>	<i>Start</i>	<i>End</i>	<i>Bikeway Type</i>	<i>Spot Improvement Detail/ Notes</i>	<i>Safety (20pts)</i>	<i>Community Support (15pts)</i>	<i>Activity Generator Connection (15pts)</i>	<i>Safe-Routes-to-School (30pts)</i>	<i>Disadvantaged Community (20pts)</i>	<i>Total</i>
B25	Childs Avenue	Carol Avenue	Campus Parkway	Class II	Study for Class IV	10	5	15	30	0	60
B65	Merced Avenue	Parsons Avenue	City Limits	Class I		5	10	15	30	0	60
B73	Olive Avenue	McKee Road	G Street	Class II		5	10	15	30	0	60
B85	Parsons Avenue	27th Street	Yosemite Parkway	Class II		0	15	15	30	0	60
B79	Parsons Avenue	Bear Creek Trail	Brookdale Drive	Class II Buffer	Recommendation requires one parking lane be removed on Olive to Brookdale	2	15	10	30	0	57
B82	Parsons Avenue	Brookdale Drive	Yosemite Avenue	Class II		2	15	10	30	0	57
B11	8th Street	West Avenue	MLK Jr. Way	Class III		5	5	10	15	20	55
B66	Merced Avenue	City Limits	Coffee Street	Class I		0	10	15	30	0	55
B70	Mission Avenue	SR-59	Tyler Road	Class II		0	0	15	30	10	55
B76	Olive Avenue	G Street	Larkspur Avenue	Class II		5	5	15	30	0	55
B77	Parsons Avenue	SR-140	Dinkey Creek Avenue	Class II Buffer	Study will need to study to determine ability to remove travel/parking lane to provide room for buffered lane	10	15	0	30	0	55
B80	Parsons Avenue	Brookdale Drive	Rascal Bike Path	Class II		0	15	10	30	0	55
B81	Parsons Avenue	Marie	Olive Avenue	Class II		0	15	10	30	0	55
B83	Parsons Avenue	North Bear Creek	Marie	Class II		0	15	10	30	0	55

Appendix C: Bicycle Prioritized Projects Table

<i>Project ID</i>	<i>Location/ Street</i>	<i>Start</i>	<i>End</i>	<i>Bikeway Type</i>	<i>Spot Improvement Detail/ Notes</i>	<i>Safety (20pts)</i>	<i>Community Support (15pts)</i>	<i>Activity Generator Connection (15pts)</i>	<i>Safe-Routes-to-School (30pts)</i>	<i>Disadvantaged Community (20pts)</i>	<i>Total</i>
B84	Parsons Avenue	Olive	Brookdale Drive	Class II		0	15	10	30	0	55
BS6	W 16th Street/ SR-59				Partner with Caltrans to conduct Stop Sign warrant study for complex intersection	5	15	15	0	20	55
B31	Cordova Avenue	Black Rascal Creek Trail	Yosemite Avenue	Class III Blvd		2	5	15	30	0	52
B32	E 27th Street	McKee Road	Glen Avenue	Class III Blvd		2	5	15	30	0	52
B64	Merced Avenue	Parsons Avenue	Motel Drive/ Almond Avenue	Class III Blvd		2	10	10	30	0	52
B16	Bear Creek Path	16th Street	Massasso Street	Class I		0	0	15	15	20	50
BS1	Citywide				Ramps to improve access to/from the roadway from Class I facilities	10	5	10	15	10	50
B55	Highway 59	16th Street	Olive Avenue	Class II	Partner with Caltrans and County	20	0	10	0	20	50
B67	Mission Avenue	M Street	SR-59	Class II		0	0	10	30	10	50
B91	R Street	Childs Avenue	South City Limits	Class II		0	15	10	15	10	50
BS4	Rascal Bike Path				Trim vegetation along path	0	5	15	30	0	50
B44	Gardner Avenue	Yosemite Avenue	Class I path	Class II		2	15	15	15	0	47
B78	Parsons Avenue	Dinkey Creek Avenue	Campus Parkway Path	Class II Buffer		2	15	0	30	0	47

Appendix C: Bicycle Prioritized Projects Table

<i>Project ID</i>	<i>Location/ Street</i>	<i>Start</i>	<i>End</i>	<i>Bikeway Type</i>	<i>Spot Improvement Detail/ Notes</i>	<i>Safety (20pts)</i>	<i>Community Support (15pts)</i>	<i>Activity Generator Connection (15pts)</i>	<i>Safe-Routes-to-School (30pts)</i>	<i>Disadvantaged Community (20pts)</i>	<i>Total</i>
B94	South of Gerard Avenue	South of R Street & Stuart	SR-59	Class I		2	0	10	15	20	47
B95	South of Gerard Avenue	SR-59	Tyler Road	Class I		2	0	10	15	20	47
B48	Gerard Avenue	Parsons Avenue	Coffee Street	Class II		0	5	10	30	0	45
B99	Tyler Road	Childs Avenue	Mission Avenue	Class II		0	0	10	15	20	45
B101	Wardrobe Avenue	Thornton Road	West Avenue	Class II		0	0	15	30	0	45
B36	East side on McKee Road	Yosemite Avenue	Black Rascal Creek Path	Class II		2	0	10	30	0	42
B63	McKee Road	Black Rascal Creek	Olive Avenue	Class II	Will require County cooperation	2	0	10	30	0	42
B24	Carol Avenue	SR-140	Childs Avenue	Class III Blvd		5	5	15	15	0	40
B29	Coffee Street	Childs Avenue	Gerard Avenue	Class II		0	0	10	30	0	40
B47	Gerard Avenue	Coffee Street	Campus Parkway	Class II		0	0	10	30	0	40
B97	SR-59	Childs Avenue	Mission Avenue	Class II	Caltrans jurisdiction; additional width needed for full Class II along only connection in area	5	0	10	15	10	40
B98	Thornton Road	Wardrobe Avenue	Dickenson Ferry	Class II		0	0	10	30	0	40
B22	Campus Parkway	SR-140	Childs Avenue	Class I		0	5	0	30	0	35
B49	Gerard Avenue	M Street	Barroso Avenue	Class II		0	10	10	15	0	35

Appendix C: Bicycle Prioritized Projects Table

<i>Project ID</i>	<i>Location/ Street</i>	<i>Start</i>	<i>End</i>	<i>Bikeway Type</i>	<i>Spot Improvement Detail/ Notes</i>	<i>Safety (20pts)</i>	<i>Community Support (15pts)</i>	<i>Activity Generator Connection (15pts)</i>	<i>Safe-Routes-to-School (30pts)</i>	<i>Disadvantaged Community (20pts)</i>	<i>Total</i>
B75	Olive Avenue	R Street	Austin Avenue	Class II		10	10	15	0	0	35
BS5	SR-59/ Olive Street				Partner with Caltrans to improve bike path crossing across Olive Street. Regionally significant project.	5	15	15	0	0	35
B35	East side on G Street	Bellevue Road	Mercy Avenue	Class II		2	5	0	15	10	32
B53	Grogan Avenue	Macready Drive	West Avenue	Class II		2	0	15	15	0	32
B14	Bancroft Drive	Cardella Road	Barclay Way	Class II		0	15	15	0	0	30
B21	Campus Parkway	Yosemite Avenue	SR-140	Class I	Partner with Caltrans and County.	0	15	0	15	0	30
B43	G Street (east side)	Bellevue Road	Farm-land	Class II		0	0	0	30	0	30
B88	PG&E Corridor	El Capitan High School	Nevada Street	Class I	New Class I proposed in 2013 Plan	0	0	0	30	0	30
B96	South of Gerard Avenue	Tyler Road	Frontage Road	Class I		0	0	10	0	20	30
B20	Black Rascal Creek	Yosemite Avenue	Mariner Way	Class I		0	0	10	15	0	25
B45	Gardner Avenue	Cardella Road	Yosemite Avenue	Class II		0	0	10	15	0	25
B68	Mission Avenue	Tyler Road	Frontage Road	Class II		0	0	15	0	10	25
B102	West Avenue	Childs Avenue	South City Limits	Class II		0	0	10	15	0	25
B12	Ahwahnee Court - Joerg Avenue	Cascade Creek Avenue	Yosemite Avenue	Class III		0	5	0	15	0	20

Appendix C: Bicycle Prioritized Projects Table

<i>Project ID</i>	<i>Location/ Street</i>	<i>Start</i>	<i>End</i>	<i>Bikeway Type</i>	<i>Spot Improvement Detail/ Notes</i>	<i>Safety (20pts)</i>	<i>Community Support (15pts)</i>	<i>Activity Generator Connection (15pts)</i>	<i>Safe-Routes-to-School (30pts)</i>	<i>Disadvantaged Community (20pts)</i>	<i>Total</i>
B30	Cooper Avenue	Ashby Road	Highway 59	Class II		0	0	0	0	20	20
B57	M Street	M Circle	Barclay Way	Class II	Recommend bike lane with green paint	0	15	0	0	0	15
B69	Mission Avenue	Coffee Street	Tower Road	Class II		0	0	0	15	0	15
B87	PG&E Corridor	N. Gardner Avenue	G Street	Class I	New Class I proposed in 2013 Plan	0	0	0	15	0	15
B51	Gerard Avenue	Campus Parkway	Tower Road	Class II		0	0	10	0	0	10
B15	Barclay Way	M Street	Bellevue Road	Class II		0	5	0	0	0	5
B17	Bellevue Road	G Street	Barclay Avenue	Class II	Study for Class I facility	0	5	0	0	0	5
B18	Bellevue Road	Barclay Avenue	M Street	Class II	Study for Class I facility	0	5	0	0	0	5
B37	Fahrens Creek	Heitz Court	Bellevue Road	Class I		0	5	0	0	0	5
B38	Fahrens Creek	Bellevue Road	Old Lake Road	Class I		0	5	0	0	0	5
B46	Gardner Avenue	Bellevue Road	Cardella Road	Class II		0	0	0	0	0	0
B86	PG&E Corridor	G Street	Bandoni Pond	Class I	New Class I proposed in 2013 Plan	0	0	0	0	0	0

Appendix D: Pedestrian Prioritized Projects Table

For more information about improvement types, see “Existing Facilities” on page 22. For details about the scoring criteria and prioritization methodology, see “Infrastructure Projects” on page 112.

Project ID	Location/ Street	Start	End	Distance (mi)	Spot Improvement Detail/ Notes	Safety (20pts)	Community Support (15pts)	Activity Generator Connection (15pts)	Safe-Routes-to-School (30pts)	Disadvantaged Community (20pts)	Total
P16	M Street Corridor in Downtown	16th Street	24th Street	0.75	Traffic Calming and crossing enhancements curb extensions, leading pedestrian interval, high visibility crosswalks, etc.	20	15	15	30	20	100
P4	G Street Corridor in Downtown	SR-140	24th Street	0.8	Install crossing enhancements such as curb extensions, leading pedestrian interval, high visibility crosswalks	20	10	15	30	20	95
P2	Main Street	G Street	V Street	1.37	Stripe currently unmarked crossings and study key locations for enhanced crossings	15	15	15	30	20	95
B110	Childs Avenue	Parsons Avenue	Campus Parkway	1.54	Multi Use Path	15	15	15	30	15	90
PS30	22nd Street/G Street				Provide pedestrian scale lighting to improve ped. visibility and safety	5	15	15	30	20	85
P8	Childs Avenue	MLK Jr. Parkway	De Long Street		Close sidewalk gaps and improve lighting	10	15	10	30	20	85
P9	Childs Avenue	MLK Jr. Parkway	De Long Street		Study Traffic Calming Measures	10	15	10	30	20	85
P3	MLK Jr. Way	SR-99/ SR140	Childs Avenue		Install crossing enhancements: curb extensions, LPI, high visibility crosswalks, etc.	15	15	15	15	20	80
P15	Canal Street	Cartmell Drive	Childs Avenue		Install sidewalks on east side of street where missing. Install lighting.	15	10	15	15	20	75
P1	E Santa Fe Ave	Midge Avenue	Green	0.9	Install Sidewalks	5	15	15	30	10	75
PS29	G Street Railroad Tracks underpass				Improve lighting under the overpass to improve perception of safety	10	15	15	15	20	75

Appendix D: Pedestrian Prioritized Projects Table

<i>Project ID</i>	<i>Location/ Street</i>	<i>Start</i>	<i>End</i>	<i>Distance (mi)</i>	<i>Spot Improvement Detail/ Notes</i>	<i>Safety (20pts)</i>	<i>Community Support (15pts)</i>	<i>Activity Generator Connection (15pts)</i>	<i>Safe-Routes-to-School (30pts)</i>	<i>Disadvantaged Community (20pts)</i>	<i>Total</i>
PS37	M Street/ Main Street				High visibility crosswalks and leading pedestrian interval	10	15	15	15	20	75
P6	Olive Avenue	Lough-borough Drive	G Street	1.68	High visibility crosswalks, advance stop markings, leading pedestrian interval, curb extensions where deemed necessary	20	10	15	30	0	75
PS21	Olive Avenue/M Street				Install high visibility crosswalks, advance stop markings, leading pedestrian interval	15	15	15	30	0	75
P5	12th Street	M Street	E Street	0.68	Pedestrian accessibility improvements including curb ramps where absent	5	5	10	30	20	70
P11	26th Street	Glen Avenue	M Street		Study potential traffic calming measures on 26th Street including marked high visibility crossings, and curb extensions.	5	15	10	30	10	70
PS24	R Street/ Childs Avenue				High visibility crosswalks (including across Childs), RRFB (across Childs), curb extensions	5	15	0	30	20	70
PS17	SR-99 Crossings				Partner with Caltrans to improve crossings	15	15	15	15	10	70
PS10	E Santa Fe Ave	G Street	City Limits		Install street/pedestrian-scale lighting	5	5	15	30	10	65
PS14	Green Street and Santa Fe Drive				Improve lighting with railroad undercrossing to improve perception of safety	5	5	15	30	10	65
P13	N Street	Cartmell Drive	Gerard Avenue		Install sidewalks to fill gaps	5	15	10	15	20	65
PS25	R Street/21st Street				Consider limiting flashing beacon to school hours only	0	5	10	30	20	65
PS18	SR-99/ V Street				Partner with Caltrans to improve crossings	10	15	15	15	10	65

Appendix D: Pedestrian Prioritized Projects Table

<i>Project ID</i>	<i>Location/ Street</i>	<i>Start</i>	<i>End</i>	<i>Distance (mi)</i>	<i>Spot Improvement Detail/ Notes</i>	<i>Safety (20pts)</i>	<i>Community Support (15pts)</i>	<i>Activity Generator Connection (15pts)</i>	<i>Safe-Routes-to-School (30pts)</i>	<i>Disadvantaged Community (20pts)</i>	<i>Total</i>
P12	9th Street	V Street	M Street		Study potential traffic calming measures including high visibility crosswalks, and curb extensions. Improve lighting throughout this corridor.	2	15	10	15	20	62
PS33	11th Street/ V Street				Conduct stop sign and signal warrant study. Install high visibility crosswalks at all approaches.	2	10	10	15	20	57
PS1	16th Street/R Street				Stripe high visibility crosswalks and install curb extensions	15	5	15	0	20	55
PS26	Fairfield Street/M Street				Upgrade to high visibility crosswalks and curb extensions on west approach	15	10	15	15	0	55
P7	G Street	Bear Creek Trail	Olive Avenue	0.6	Crossing improvements such as removing slip lane at Bear Creek Drive, installing high visibility crosswalks, leading pedestrian interval, curb extensions where necessary	10	10	10	15	10	55
PS11	G Street/ Alexander Avenue				Stripe high visibility crosswalks and install curb extensions	5	5	15	30	0	55
PS28	Railroad tracks near Hoover Middle School				Study installing fencing or other safety enhancements to keep students away from tracks. Pair with student educational programming.	2	5	15	30	0	52
PS34	Santa Fe Avenue/6th Avenue				Study redesign of Santa Fe Ave/6th Avenue Intersection	2	5	15	30	0	52
PS32	P Street/ 8th Street				Conduct stop sign warrant study and install high visibility crosswalks at all approaches	5	10	0	15	20	50

Appendix D: Pedestrian Prioritized Projects Table

<i>Project ID</i>	<i>Location/ Street</i>	<i>Start</i>	<i>End</i>	<i>Distance (mi)</i>	<i>Spot Improvement Detail/ Notes</i>	<i>Safety (20pts)</i>	<i>Community Support (15pts)</i>	<i>Activity Generator Connection (15pts)</i>	<i>Safe-Routes-to-School (30pts)</i>	<i>Disadvantaged Community (20pts)</i>	<i>Total</i>
PS35	Parsons Avenue, north of Childs Avenue				Install mid-block crossing with RRFB and curb extensions to improve access to/from bus stops	2	15	15	15	0	47
PS3	Bellevue Road/Lake Road				Improve safety of crossing	0	5	10	30	0	45
PS5	Childs Ave/Carol Ave/SR-99				Partner with Caltrans to install/improve pedestrian access to and mobility to and through the overcrossing	5	5	10	15	10	45
P14	Gerard Avenue	N Street	M Street		Widen sidewalk to recommended 8 feet width in high-volume pedestrian area on east side to better accommodate school pedestrian traffic	5	10	10	0	20	45
PS23	R Street/ Yosemite Avenue				Install high visibility crosswalks, leading pedestrian interval	0	15	15	15	0	45
PS6	Citywide				Conduct a curb inventory to determine and prioritize locations without curb ramps and other accessibility features	0	5	10	15	10	40
PS7	Citywide				Conduct an inventory of bus stops throughout the City to determine with accessibility and pedestrian enhancements can be made within the City right of way leading to and from bus stops	0	5	10	15	10	40

Appendix D: Pedestrian Prioritized Projects Table

<i>Project ID</i>	<i>Location/ Street</i>	<i>Start</i>	<i>End</i>	<i>Distance (mi)</i>	<i>Spot Improvement Detail/ Notes</i>	<i>Safety (20pts)</i>	<i>Community Support (15pts)</i>	<i>Activity Generator Connection (15pts)</i>	<i>Safe-Routes-to-School (30pts)</i>	<i>Disadvantaged Community (20pts)</i>	<i>Total</i>
PS9	Downtown Area				Install pedestrian amenities such as shade trees, pedestrian-scale lighting, wayfinding signage, benches, trash cans, and other street furniture. Consider policy change to promote mixed uses with ground floor retail	0	5	15	0	20	40
PS19	Parsons Avenue/ Merced Avenue				Install high visibility crosswalks, advanced yield markings. Consider upgrading RRFB to HAWK because of width of roadway (5 lanes)	0	10	15	15	0	40
PS22	R Street/ Loughborough Drive				Improve pedestrian safety by removing slip lane, installing high visibility crosswalks and leading pedestrian interval, and extending median on R Street to create refuge islands	10	15	15	0	0	40
PS12	G Street/ Brookdale Drive				Install mid-block crossing with enhancement such as HAWK or RRFB to allow people in adjacent neighborhood more convenient and safe access to park without long detour to marked crossing	2	10	10	15	0	37
PS36	Gerard Avenue/M Street				Stripe crosswalks at all approaches	0	15	0	0	20	35
PS20	Parsons Avenue/ SR-140				Partner with Caltrans to install high visibility crosswalks, advance stop markings, leading pedestrian interval	5	15	15	0	0	35
PS2	Bear Creek Path				Inspect and correct any ADA-related accessibility issues	0	5	15	0	10	30

Appendix D: Pedestrian Prioritized Projects Table

<i>Project ID</i>	<i>Location/ Street</i>	<i>Start</i>	<i>End</i>	<i>Distance (mi)</i>	<i>Spot Improvement Detail/ Notes</i>	<i>Safety (20pts)</i>	<i>Community Support (15pts)</i>	<i>Activity Generator Connection (15pts)</i>	<i>Safe-Routes-to-School (30pts)</i>	<i>Disadvantaged Community (20pts)</i>	<i>Total</i>
PS16	Parsons Avenue and Bear Creek				Improve lighting in undercrossing to improve perception of safety	0	5	10	15	0	30
PS4	Black Rascal Creek & McKee Road				Install crossing enhancements such as curb extensions, leading pedestrian interval, high visibility crosswalks	2	5	15	0	0	22
PS13	Glen Avenue & Bear Creek				Bridge crossing improvements	0	5	0	15	0	20
PS15	Lake Road & Yosemite Avenue				Improve lighting in undercrossing to improve perception of safety	0	5	0	0	0	5

Appendix E: Existing Programs

Introduction

Programs are a vital part of a strong walking and bicycling community, fostering an educated and engaged public, supporting safety by enforcing good behavior, and providing ongoing guidance by evaluating the walking and bicycling environment regularly. This section lists existing programs Merced can build on to continue to foster an active transportation culture about which citizens can become invested and excited.

Programs are generally categorized into: education, encouragement, enforcement, and evaluation.

- Education programs improve safety and awareness. They may be delivered in schools as pedestrian and bicycle knowledge and skills programs, or provided through media campaigns and partnerships with nonprofit organizations.
- Encouragement programs, such as walking and bicycling maps or special events, reward current pedestrians and bicyclists and motivate more people to try walking or bicycling for transportation.
- Enforcement programs that reinforce legal and respectful driving, bicycling, and walking behaviors can make walking and bicycling feel more secure.
- Evaluation programs provide a method for monitoring implementation of recommendations in this plan and measuring effectiveness of improvements and programs to inform future investments.

Existing Education Programs

Bicycle Safety Presentation at Community Meeting

The Merced Bicycle Coalition gave a presentation at a Healthy South Merced Community Meeting in May 2017. The presentation covered bicycling safety and rules of the road, with an aim to help residents understand shared-lane markings and other bicycle infrastructure treatments in their neighborhoods.

Poster Contest

A traffic safety poster contest is a fun way to engage students and their families in traffic safety principles, and raises awareness of the SRTS program in the broader community. After learning about bicycle and pedestrian safety in school, students are asked to create a poster illustrating a safety concept they learned about. This can either be done in-class as an art activity, or completed at home as students discuss bicycle and pedestrian safety with their parents.

All 3rd, 4th, and 5th grade classrooms in the Merced City School District were invited to create posters illustrating how bicycling can be fun, safe, and good for the environment. Educational materials were provided to all teachers to review with their students. More than 300 student posters were submitted, and a winner from each grade was announced during the Mayor's Bike Ride and given a bicycle. The winning posters were displayed in the lobby of the Civic Center for the month of June. The contest was supported by a City grant through the Bicycle Advisory Commission.

The City should continue to offer grant funding for the poster contest every three years. The City should also increase the amount of funding available to allow for schools in Merced Union School District to also hold a contest. Funding partners, such as local or regional employers or foundations, are a great tool to support such a campaign.

Radio Announcements

Supported by a City grant, a Bicycle Advisory Commission subcommittee created and arranged for a public service announcement to be aired on local radio that included safety education information for bicyclists and motorists. The announcement began airing in May 2017 and ran through August 2017 to coincide with the beginning of the new school year.

Youth Organization Education

Local youth leadership organizations, including the Boy Scouts of America and 4H, have coordinated with the Merced Bicycle Coalition to offer bicycle education as part of their programming. A morning bicycling workshop was offered to boy scouts, and the 4H club participated in a weeklong bicycle construction and maintenance course.

Safe-Routes-to-School

The Safe-Routes-to-School (SRTS) program offers a variety of activities in the City and County of Merced. Program support and activities are coordinated by the Merced County Department of Public Health, Merced County of Public Works, local school districts, and the Merced Bicycle Coalition. SRTS programs at Merced schools have included the following activities:

Bicycle Rodeos

Bicycle rodeos often include a bicycle safety check, helmet giveaway and fit check, and hands-on instruction for pulling out of driveways, bicycling in traffic, safe turning, and identifying and managing hazardous situations.

Safe Riding Assemblies

Educational assemblies held during school hours reach a large number of students, teaching about rules of the road, safe bicycling behaviors, and other topics.

Existing Encouragement Programs

All Merced Road Ride

The Merced Bicycle Coalition has hosted this free, fully supported road bike ride annually since 2010. Three route lengths encourage riders of all ages and skill levels to participate.

Bike to Work and School Day

Bike to Work and School Day is a national event promoting bicycling to work and is typically the third Thursday in May. Merced Bicycle Coalition organizes Bike to Work events throughout the city. Some of the most popular events are energizer stations where volunteers set up a table with promotional items, coffee, and snacks along popular bicycle commuting routes during the morning and afternoon commute hours. The City currently sponsors annual Bike to Work and School Day events hosted by Merced Bicycle Coalition including an energizer station.

Energizer stations are tents or tables along popular bicycling routes where students or commuters can pick up free snacks, drinks, and other incentives such as t-shirts, patch kits, or clip-on lights. The Merced Bicycle Coalition coordinates with UC Merced, Dignity Health, and Golden Valley Health Center to provide energizer stations on Merced's combined Bike to Work and School Day in May. The San Joaquin Valley Air Pollution Control District supports the event with a \$250 grant, and alternative transportation nonprofit "Dibs" provides material support including t-shirts, lights, and snacks. This has been an annual event since 2009. This Plan recommends the City continue their sponsorship of Bike to Work and School Day events.

Appendix E Figure 1: Bike to Work and School Day



Bike Ride with the Mayor

During May, which is Bike Month, Mayor Mike Murphy participates in a leisurely ride supported by a city grant through the Bicycle Advisory Commission and conducted by the Merced Bicycle Coalition. The ride included giveaways of helmets, lights, and locks, along with basic bicycle safety checks and helmet fittings. Seventy-five riders of all ages participated in 2018. The bicycle ride also included an educational poster contest, described under Education. The Mayor's Bike Ride is also host to a poster contest to raise awareness and encourage youth to participate. See "Poster Contest" on page 173 for more about this aspect of the activity.

Appendix E Figure 2: Bike Ride with the Mayor



Group Rides

Group rides such as those hosted by The Merced Bicycle Coalition can encourage more people to bicycle. The Merced Bicycle Coalition has hosted many group rides, including:

- Holiday Lights Ride
- All-Merced Road Ride
- The Mayor's Bike Ride
- Bi-monthly community rides

This Plan recommends The Merced Bicycle Coalition continue to host group rides.

Existing Enforcement Programs

No existing enforcement programs specific to bicycle and pedestrian transportation were located.

Existing Evaluation Programs

No existing evaluation programs specific to bicycle and pedestrian transportation were located.

Introduction

This section presents a list of relevant policies in planning documents that relate to the *Merced Active Transportation and Safe-Routes-to-School Plan*. Relevant policies are presented grouped by policy document. Because only those policies most relevant to this Plan have been included, numbering may be nonconsecutive. See “Policy Recommendations” on page 130 for proposed policies.

Federal Plans and Policies

US DOT Policy Statement on Bicycle and Pedestrian Accommodation Regulations and Recommendations

The United States Department of Transportation (US DOT) issued this Policy Statement to support and encourage transportation agencies at all levels to establish well-connected walking and bicycling networks.

Policy Statement

The DOT policy is to incorporate safe and convenient walking and bicycling facilities into transportation projects. Every transportation agency, including DOT, has the responsibility to improve conditions and opportunities for walking and bicycling and to integrate walking and bicycling into their transportation systems. Because of the numerous individual and community benefits that walking and bicycling provide – including health, safety, environmental, transportation, and quality of life – transportation agencies are encouraged to go beyond minimum standards to provide safe and convenient facilities for these modes.

Recommended Actions

The DOT encourages States, local governments, professional associations, community organizations, public transportation agencies, and other government agencies, to adopt similar policy statements on bicycle and pedestrian accommodation as an indication of their commitment to accommodating bicyclists and pedestrians as an integral element of the transportation system. In support of this commitment, transportation agencies and local communities should go beyond minimum design standards and requirements to create safe, attractive, sustainable, accessible, and convenient bicycling and walking networks. Such actions should include:

- ♦ Considering walking and bicycling as equals with other transportation modes: The primary goal of a transportation system is to safely and efficiently move people and goods. Walking and bicycling are efficient transportation modes for most short trips and, where convenient intermodal systems exist, these non-motorized trips can easily be linked with transit to significantly increase trip distance. Because of the benefits they provide, transportation agencies should give the same priority to walking and bicycling as is given to other transportation modes. Walking and bicycling should not be an afterthought in roadway design.

- ◆ Ensuring that there are transportation choices for people of all ages and abilities, especially children: Pedestrian and bicycle facilities should meet accessibility requirements and provide safe, convenient, and interconnected transportation networks. For example, children should have safe and convenient options for walking or bicycling to school and parks. People who cannot or prefer not to drive should have safe and efficient transportation choices.
- ◆ Going beyond minimum design standards: Transportation agencies are encouraged, when possible, to avoid designing walking and bicycling facilities to the minimum standards. For example, shared-use paths that have been designed to minimum width requirements will need retrofits as more people use them. It is more effective to plan for increased usage than to retrofit an older facility. Planning projects for the long-term should anticipate likely future demand for bicycling and walking facilities and not preclude the provision of future improvements.
- ◆ Integrating bicycle and pedestrian accommodation on new, rehabilitated, and limited-access bridges: DOT encourages bicycle and pedestrian accommodation on bridge projects including facilities on limited-access bridges with connections to streets or paths.
- ◆ Collecting data on walking and biking trips: The best way to improve transportation networks for any mode is to collect and analyze trip data to optimize investments. Walking and bicycling trip data for many communities are lacking. This data gap can be overcome by establishing routine collection of non-motorized trip information. Communities that routinely collect walking and bicycling data are able to track trends and prioritize investments to ensure the success of new facilities. These data are also valuable in linking walking and bicycling with transit.
- ◆ Setting mode share targets for walking and bicycling and tracking them over time: A byproduct of improved data collection is that communities can establish targets for increasing the percentage of trips made by walking and bicycling.
- ◆ Improving non-motorized facilities during maintenance projects: Many transportation agencies spend most of their transportation funding on maintenance rather than on constructing new facilities. Transportation agencies should find ways to make facility improvements for pedestrians and bicyclists during resurfacing and other maintenance projects.

Statewide Plans and Policies

AB 32 – Global Warming Solutions Act & SB 375 – Sustainable Communities and Climate Protection Act

The past ten years have seen an expansion of legislative and planning efforts in California to reduce emissions of greenhouse gases (GHGs) in order to mitigate climate change. Assembly Bill 32, the California Global Warming Solutions Act of 2006, aims to reduce the state's GHG emissions to 1990 levels by 2020 and to 80 percent below 1990 levels by 2050. Meanwhile, Senate Bill 375, passed into law in 2008, is the first in the nation that will attempt to control GHG emissions by directly linking land use to transportation. The law required the state's Air Resources Board to develop regional targets for reductions in GHG emissions from passenger vehicles for 2020 and 2035 as a way of supporting the targets in AB32.

AB 1358 – Complete Streets Act

Assembly Bill 1358 requires “that the legislative body of a city or county, upon any substantive revision of the circulation element of the general plan, modify the circulation element to plan for a balanced, multimodal transportation network that meets the needs of all users [including] motorists, pedestrians, bicyclists, children, persons with disabilities, seniors, movers of commercial goods, and users of public transportation....” This provision of the law went into effect on January 1, 2011, and has resulted in a new generation of circulation elements and a surge in Complete Streets policies around the state as general plans are updated over time.

SB 99 – Active Transportation Program Act

The Active Transportation Program was established by this legislation in 2013, and serves as the mechanism for distributing federal funds for local and regional efforts to promote walking and bicycling. It specifies goals that the funding will be disbursed to help meet, including increasing the mode shares of biking and walking trips, increasing safety for non-motorized users, and providing support to disadvantaged communities to promote transportation equity. It also updated the list of requirements for completed Active Transportation Plans including the number and location of collisions, serious injuries, and fatalities suffered by bicycle riders in the Plan area, a description of bicycle safety and education programs conducted in the area, and a resolution showing adoption of the Plan by the Council of Governments.

California Transportation Plan 2025

The California Transportation Plan 2025 seeks to provide for mobility and accessibility of people, goods, services, and information throughout California. It encourages consideration of bicycle and pedestrian facilities in capacity improvement projects, and promotes integration of active transportation into modeling and projection efforts.

The Plan also speaks to the public health benefits of active transportation, urging better education of youth on personal health and air quality impacts of making trips by bicycle or on foot.

Caltrans Complete Streets Policy and Deputy Directive 64

In 2001, the California Department of Transportation (Caltrans) adopted Deputy Directive 64, “Accommodating Non-Motorized Travel,” which contained a routine accommodation policy. The directive was updated in 2008 as “Complete Streets – Integrating the Transportation System.” The policy includes the following language:

The Department views all transportation improvements as opportunities to improve safety, access, and mobility for all travelers in California and recognizes bicycle, pedestrian, and transit modes as integral elements of the transportation system.

The Department develops integrated multimodal projects in balance with community goals, plans, and values. Addressing the safety and mobility needs of bicyclists, pedestrians, and transit users in all projects, regardless of funding, is implicit in these objectives. Bicycle, pedestrian and transit travel is facilitated by creating “Complete Streets” beginning early in system planning and continuing through project delivery and maintenance operations.

The directive establishes Caltrans’ own responsibilities under this policy. The responsibilities Caltrans assigns to various staff positions under the policy include the following:

- ◆ Ensure bicycle, pedestrian, and transit interests are appropriately represented on interdisciplinary planning and project delivery development teams.
- ◆ Ensure bicycle, pedestrian, and transit user needs are addressed and deficiencies identified during system and corridor planning, project initiation, scoping, and programming.
- ◆ Ensure incorporation of bicycle, pedestrian, and transit travel elements in all Department transportation plans and studies.
- ◆ Promote land uses that encourage bicycle, pedestrian, and transit travel.
- ◆ Research, develop, and implement multimodal performance measures.

In part to address these issues, Caltrans adopted the Complete Streets Implementation Action Plan in 2010. The plan sets forth actions under seven categories to be completed by various Caltrans districts and divisions within certain timelines to institutionalize Complete Streets concepts and considerations within the department. The action categories include updating departmental plans, policies, and manuals; raising awareness; increasing opportunities for training; conducting research projects; and actions related to funding and project selection. As one of its implementation activities, Caltrans updated the Highway Design Manual in large part to incorporate multimodal design standards.

Toward an Active California: California State Bike and Pedestrian Plan (2017)

Toward an Active California: California State Bicycle and Pedestrian Plan is the first statewide plan of its kind for California. Mainly a policy document, the plan complements local and regional active transportation plans being developed across the state and supports agencies as they undertake their own efforts to improve the walking and bicycling environment in California. While Caltrans has the greatest control over state transportation facilities, it exerts influence on bicycling and walking facilities on local roads through funding programs, design, and design guidance.

The Plan focuses on four strategies, which are accompanied by associated action items recommended for implementation. Many of the strategies and action items, while focused on the statewide purview of Caltrans, suggest avenues for improvement to local, countywide, and regional transportation planning, programs, and infrastructure development. The strategies and action items are shown in Appendix E Table A below.

Appendix E Table A: California Bike and Pedestrian Plan Action Items

Safety
S1: Safer Streets & Crossings
S1.1 Develop equity focused plans at the regional or district level to proactively identify opportunities for safer highway crossings, including addressing personal safety
S1.2 Work with regional and local agencies to apply the guidelines in Caltrans' Complete Intersections Guide, Main Street California Guide, and National Association of City Transportation Officials guidelines
S1.3 Develop and implement a systemic safety analysis approach to address infrastructure that poses a higher risk to vulnerable users
S2: Education
S2.1 Include active transportation infrastructure concepts and bicycle/pedestrian safety information in regular driver handbook updates
S2.2 Include bicycle and pedestrian content in driver testing exams for all new and re-licensing drivers
S2.3 Explore periodic re-licensing of drivers
S2.4 Provide universal elementary school bicycle and pedestrian curriculum
S2.5 Advance an adult-oriented safe bicycling and walking curriculum
S2.6 Incorporate ADA awareness into all active transportation educational programs
S2.7 Engage colleges and universities in including current, best-practice bicycle and pedestrian design in engineering programs
S3: Safety Data
S3.1 Continue developing approaches to integrate hospital data into collision reporting
S3.2: Develop improved exposure estimates for bicycling and walking
S3.3 Explore the feasibility of conducting a pilot study of the information being compiled regarding collisions involving bicycles and pedestrians, leveraging investment in exposure estimates developed in S3.2
S4: Enforcement
S4.1 Support updates to police officer training to curb road user behaviors that pose the greatest risk of collision, injury, and fatality
S4.2 Support and fund diversion programs for bicyclists and pedestrians cited for a traffic offense. Preliminary target of making diversion programs available to 25% of Californians
S4.3 Explore use of technology and engineering methods to reduce speeding and aggressive driving
S4.4 Research methods for setting and enforcing speed limits

Appendix E Table A, Continued: California Bike and Pedestrian Plan Strategies and Action Items

Mobility
M1: Connected and Comfortable Networks
M1.1 Develop District-level plans to identify bicycle and pedestrian needs and priority projects on or parallel to the state highway system, with a focus on closing gaps and building complete, comfortable networks that consider the context
M1.2 Provide ongoing implementation of existing Caltrans Complete Streets education and hands-on training
M1.3 Increase state investment and encourage local and regional investment in complete bicycle and pedestrian networks
M1.4 Explore opportunities to develop a network of separated 'bicycle highways' to serve regional and interregional travel
M1.5 Consider bicyclist and pedestrian comfort when designing new or improved facilities for state highways, and encourage use of this approach by local agencies
M1.6 Provide a comprehensive resource on best practice bicycle and pedestrian design treatments for California
M2: Multimodal Access
M2.1 Incorporate first mile/last mile planning for bicycle/pedestrian access needs for all intercity/high-speed rail and transit systems
M2.2 Identify bicycle parking needs at transit, rail and park and ride services and define appropriate bicycle accommodation policies
M2.3 Explore development of a statewide bike share system that reaches the maximum number of Californians
M2.4 Provide seamless integration of bike share and public transit fare systems on a regional or statewide scale
M2.5 Support expanded use of electric bicycles in California, including the provision of a network of public electric bike charging infrastructure
M2.6 Facilitate opportunities for local freight delivery by bicycle, including funding pilot implementation
M3: Efficient Land Use and Development
M3.1 Provide guidance to state and local agencies on school and government building siting that considers walkability, bikeability, and proximity to transit
M3.2 Link land use plans, zoning, and design standards to active transportation planning, integrating principles of location efficiency and urban form
M3.3 Support the design of transit-oriented and location efficient development that creates density and urban form to encourage pedestrian, bicycle, and transit travel
M3.4 Explore opportunities for a consolidated, universal and flexible wayfinding system applicable to all modes of travel
M4: Network and Travel Data
M4.1 Develop a standard collection method for bicycle and pedestrian counts and create a central database for storing counts
M4.2 Explore opportunities to leverage existing data collection by Caltrans and third parties to better understand use of the system by bicyclists and pedestrians
M4.3 Improve state travel surveys to better represent bicycle and pedestrian travel
M4.4 Work with the Federal Highway Administration and other partners to develop a standard for bicycle and pedestrian infrastructure and data
M4.5 Appropriately consider bicycling, pedestrian, and transit concerns in traffic analysis methods
M5: Statewide Trails
M5.1 Promote awareness of and connections to key statewide bicycling and walking routes
M5.2 Coordinate with state and local convention and visitors bureaus to market bicycling and walking options to tourists

Appendix E Table A, Continued: California Bike and Pedestrian Plan Strategies and Action Items

M6: Encouragement
M6.1 Support and promote bicycling and walking events for all ages
M6.2 Implement model encouragement programs to incentivize walking and bicycling to work for state and partner agency employees
M6.3 Research applications of the science of behavior change in transportation
Preservation
P1: Quality of Condition
P1.1 Develop a standardized menu of services and condition expectations/quality service standards for bicycle and pedestrian facilities and update the existing maintenance manual
P1.2 Require consideration of bicyclists and pedestrians during temporary traffic control for construction or maintenance
P1.3 Explore changes to sidewalk maintenance responsibility in California to reduce the burden on individual property owners of ongoing maintenance for priority pedestrian routes
P2: Coordination
P2.1 Incorporate bicycle and pedestrian needs into asset management plans and associated programming and prioritization processes
P2.2 Develop an Adopt-a-Bikeway program to assist with maintenance of bicycle facilities, similar to Adopt-a-Highway
P2.3 Include maintenance staff in Project Initiation Document, planning, and design phases for projects to consider impacts
Social Equity
E1: Community Support
E1.1 Proactively identify disadvantaged communities without active transportation plans and help them develop plans
E1.2 Provide active transportation technical assistance as part of existing Caltrans technical assistance programs
E1.3 Require District staff to reach out to regional transportation planning agencies, metropolitan planning organizations, and disadvantaged communities to identify opportunities to integrate active transportation into local plans and programs
E1.4 Develop education and encouragement materials that can be distributed by communities without resources to develop their own programs
E2: Equity Lens
E2.1 Develop equity-focused Caltrans district plans to identify and improve state highway crossings that limit accessibility to or within disadvantaged communities (See S1.1)
E2.2 Consider access to economic opportunity as a critical component to serving disadvantaged communities
E3: Access to Funding
E3.1 Develop a centralized information resource for grant funding and partnership opportunities for active transportation projects
E3.2 Identify opportunities to simplify and streamline grant funding for local agencies, and provide technical assistance with analysis for applications
E3.3 Evaluate funding efforts to determine how grant funds address bicycle and pedestrian network needs
E3.4 Explore joint funding of active transportation plans and programs with county public health agencies, tribal governments, transit agencies, parks and recreation departments, and other potential partners
E3.5 Highlight successful non-traditional funding partnerships as models for other communities

Local Plans & Policies

City of Merced General Plan 2030 (2012)

The City of Merced General Plan notes several broad challenges and opportunities related to transportation in the community. Four creeks, three freeways, and two railroads pass through the city, creating barriers with limited crossing options. For a map of existing and proposed land uses, see Figure 21.

The University of California at Merced campus lies outside city limits to the northeast, but is a significant transit destination and an important hub to connect to the city. Ensuring that safe paths of travel exist for users of all modes, including consideration of electric rental vehicles, will require a long-term partnership between the University and the City of Merced.

Chapter 4: Transportation and Circulation

The General Plan's Transportation and Circulation element notes Merced has an ideal climate for bicycling and walking, with fair weather year-round. M Street, identified as an enhanced transit corridor, has potential to support enhanced biking and walking as well. Bellevue Road and Mandeville Lane have also been designated transitways.

The General Plan includes vehicular level of service (LOS) thresholds to define acceptable conditions for various street classifications.

Transit System

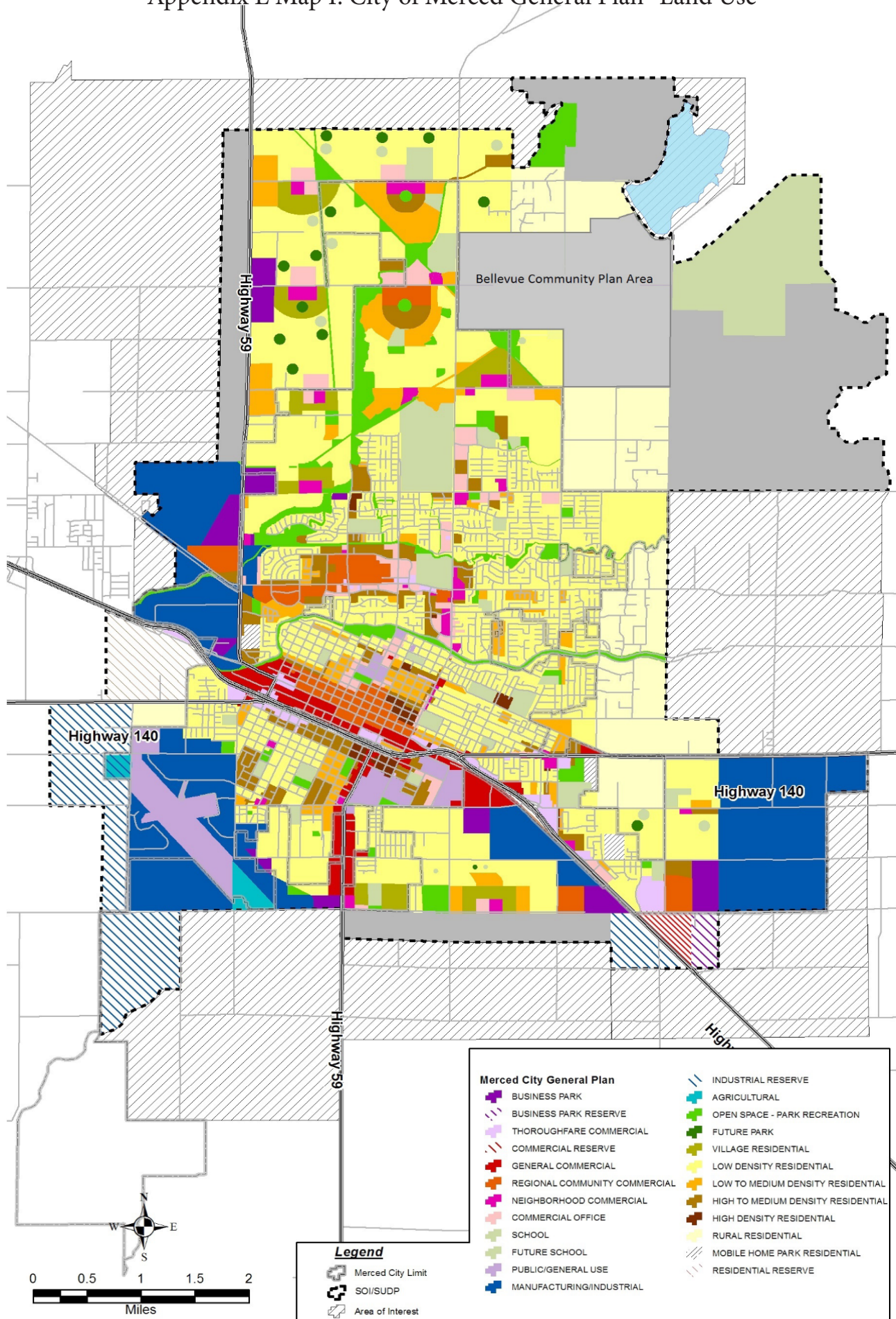
Merced is served by a local public bus system that operates 16 fixed routes in addition to on-demand service, inter-regional private buses, and privately owned taxis. Fixed routes connect downtown with other major destinations, including the Civic Center, schools, hospitals, and shopping centers.

Bicycle/Trail System

Merced notes that development of bicycle networks should make use of major streets and provide the quickest, shortest, and safest routes for bicyclists to reach their destinations. The bikeway system also includes a network of off-street paths, used for both recreation and transportation trips. A Bicycle Advisory Commission of seven members provides advice to City Council on relevant matters. This Plan is recommending that this Commission see a number of changes and updates; see "Bicycle and Pedestrian Advisory Commission" on page 122 for more details.

Existing off-street paths are primarily located along creeks within the city. Proposed paths seek to complete two loop systems: one smaller loop along Bear and Black Rascal Creeks between McKee Road and Highway 59, and a larger loop along Fahrens Creek to Lake Yosemite, Lake Road, and Black Rascal Creek. This loop system could also provide the basis for regional bicycle access to UC Merced.

Appendix E Map I: City of Merced General Plan- Land Use





The General Plan notes providing pedestrian access for school-aged children and for people with disabilities is a priority for the City of Merced, but does not include specific projects or priority corridors for pedestrian facilities.

Goal Area T-1: Streets and Roads

Goals:

- ◆ An integrated road system that is safe and efficient for motorized and nonmotorized uses
- ◆ A circulation system that is accessible, convenient, and flexible
- ◆ A circulation system that minimizes adverse impacts upon the community
- ◆ A comprehensive system of “Complete Streets” which addresses all modes of transportation

Policies:

- ◆ T-1.1: Design streets consistent with circulation function, affected land uses, and all modes of transportation.
 - 1.1.b: Whenever feasible, implement a system of arterials and higher order streets in new growth areas based upon the adopted concept of arterials/expressways and ensuring the development of “Complete Streets” which address all modes of transportation.
- ◆ T-1.4: Promote traffic safety for all modes of transportation.
 - 1.4.c: Promote increased traffic safety with special attention to hazards which could cause personal injury.
- ◆ T-1.5: Minimize unnecessary travel demand on major streets and promote energy conservation.
- ◆ T-1.6: Minimize adverse impacts on the environment from existing and proposed road systems.
 - 1.6.b: Make a strong commitment to increase the number of people per vehicle so that the existing street system is utilized to its fullest.
 - 1.6.f: Ensure to the extent feasible that pedestrian, bicycle, and automobile connections are maintained in existing neighborhoods affected by transportation and other development projects.

Goal Area T-2: Bicycles, Pedestrians, and Public Transit

Goals:

- ◆ An efficient and comprehensive public transit system
- ◆ A comprehensive system of safe and convenient bicycle routes (within the community and throughout the urban area)
- ◆ A comprehensive system of safe and convenient pedestrian facilities
- ◆ A comprehensive system of “Complete Streets” addressing all modes of transportation

Policies:

- ◆ T-2.4: Encourage the use of bicycles.
 - 2.4.a: Encourage area employers to promote bicycle use through incentive programs or other means.
 - 2.4.b: Continue to support whenever feasible local efforts to promote cycling.
 - 2.4.c: Seek to involve a cross-section of actual bicycle users in bicycle planning efforts and transportation-related bicycle activities through the City’s Bicycle Advisory Commission.
- ◆ T-2.5: Provide convenient bicycle support facilities to encourage bicycle use.
 - 2.5.a: Develop guidelines for public and private development relating to the design and location of bicycle parking facilities for both residential and non-residential uses and consider a bike parking ordinance.
- ◆ T-2.6: Maintain and expand the community’s existing bicycle circulation system.
- ◆ T-2.7: Maintain a pedestrian-friendly environment.
- ◆ T-2.8: Improve planning for pedestrians.
- ◆ T-2.9: Ensure that new development provides the facilities and programs that increase the effectiveness of transportation control measures and congestion management programs.
 - 2.9.c: Expand programs to reduce vehicle miles traveled, stop and go traffic, and traffic congestion in order to improve traffic flow.
 - 2.9.d: Complete the City’s network of bicycle and pedestrian transportation routes and allow for new forms of non-motorized transportation.

City of Merced Bicycle Master Plan (2013)

The Bicycle Master Plan is organized around six E's: education, encouragement, enforcement, engineering, evaluation, and equity. It also describes the city's Bicycle Advisory Commission responsibilities.

Bicycle Advisory Commission

The City established a Bicycle Advisory Commission in early 2009, with an ordinance that describes three key purposes for the new commission:

- ◆ Improve conditions for bicyclists
 - Review and advise the City Council on the design of capital improvement projects, street improvements, and parking facility projects as they relate to bicycling, except for matters pertaining to pedestrian issues
 - Review and advise the City Council on changes and updates to the Bicycle Master Plan, General Plan, Municipal Code, and other policy documents which relate to bicycling
 - Initiate requests to City staff from the community on issues of concern
- ◆ Promote bicycling as a means of transportation
 - Promote bicycling as a viable form of transportation
 - Initiate requests to City staff from the community on issues of concern
- ◆ Improve safety conditions for bicyclists
 - Assist in the development and dissemination of bicycle safety awareness and education materials to the community
 - Initiate requests to City staff from the community on issues of concern

Policies

The Bicycle Master Plan's policies relating to the 6 E's were, understandably, created with cycling as the sole focus. The goals and policies presented below have been updated to address active transportation more holistically while retaining the spirit of the Bicycle Master Plan's intentions.

Complete Streets

A Complete Street is a transportation facility that is planned, designed, operated, and maintained to provide safe mobility for all users, including bicyclists, pedestrians, transit vehicles, truckers, and motorists, appropriate to the function and context of the facility. Every complete street looks different, according to its context, community preferences, the types of road users, and their needs.

The Complete Streets philosophy is an important one in guiding future policy and infrastructure decisions in the City of Merced. “Table A: City of Merced “Complete Streets” Policies” on page 4 shows the bike and pedestrian related policies of the Merced Vision 2030 General Plan that support the concept of “Complete Streets.”

6 E’s

The ATP follows in the aims of the 2013 Bicycle Transportation Plan to inspire, educate, guide, and create a safe means of transportation throughout the community for all types of users. The plan frames its goals and policies around the six “E’s” of planning, including:

- | | | |
|---------------|-----------------|---------------|
| ◆ Education | ◆ Encouragement | ◆ Engineering |
| ◆ Enforcement | ◆ Evaluation | ◆ Equity |

Education

Education, an integral part of a successful transportation plan, will promote all modes of active transportation as viable and attractive transportation modes. All citizens engaged in riding bicycles could benefit from learning bicycle-related laws and safe-riding techniques. Motorists should also be reminded to be aware of and be respectful to bicyclists and pedestrians sharing the roadways and crossing intersections or driveways. Increased awareness and knowledge may lead to fewer collisions, injuries, and fatalities.

GOAL: Educate the public, specifically pedestrians, cyclists, and motorists, of their responsibility to act in accordance with traffic laws. Education should encompass safety, bicycle handling skills, and traffic skills.

Policies:

- ◆ Seek to educate the public by publicizing and promoting safe commuting.
- ◆ Consider the dedication of a new page on the City’s website to active transportation and education; include links to the ATP, bicycle laws, safety tips and other such helpful resources.
- ◆ Promote transportation safety programs in employment centers and local schools, and adopt a more proactive approach to safety education, including holding yearly safety classes at local schools at the beginning of the school year.
- ◆ Consider the use of the City’s newsletter as a means of distributing active transportation safety information to the public.
- ◆ Utilize signage in coordination with infrastructure to educate citizens about the locations and appropriate usage of active transportation.

Encouragement

Encouragement includes **partnering** with local organizations and persons to champion active transportation education and fun activities. The City of Merced, in a **leadership** example role, is doing its part as a major employer by providing facilities that enable its employees to use alternative modes of transportation to get to/from work. **Coordinating** planning and implementation with the local interest entities, (i.e. employers, school districts, Merced College, UC Merced, commercial and industrial businesses), will build the sense of benefit through ownership. Educating the public of the financial, health, and environmental **benefits** of active transportation will provide further encouragement for these mode choices.

GOAL: Promote the financial, health, and environmental benefits of active transportation.

Policies:

- ◆ Encourage and assist employers to implement walk/bike-to-work incentive programs at the workplace.
- ◆ Continue to support cycling sports, family fun rides, and other cycling events in the City as a means to encourage bicycling.
- ◆ Encourage the use of bike transportation by providing students and school faculty with safe and direct bicycle facilities.
- ◆ Continue with programs that educate the general public on the health benefits of active transportation.
- ◆ Encourage large employers to promote carpooling and other **transportation alternatives** within their work force
- ◆ Seek to create an incentive-based program as a means to encourage employers to provide destination amenities required by active transportation, including showers; lockers; and safe, secure, covered bicycle parking.
- ◆ Reinforce active transportation as an important consideration in all sizes of projects by encouraging advocates for active transportation to take part in more City of Merced committees and commissions, including but not limited to the Traffic Committee and the Parks and Recreation Commission.

Engineering

Continuing to improve the City of Merced's active transportation network involves the coordination of the City's Planning and Engineering Departments with the public. This coordination addresses the major consideration to **provide safe, convenient, and complete system access from residences to destinations**. For the existing system, measures could be implemented to optimize its attractiveness and usefulness.

GOAL: Strive to provide safe and convenient active transportation access and support facilities to all destinations within the City and other regional destinations, including the UC Merced campus.

Policies:

- ◆ Strive to provide sidewalks, pathways, and bikeways that link residential areas with employment centers, downtown, schools, shopping centers, parks, and other major target areas.
- ◆ The system should fit the needs of commuters, while serving recreational and exercise purposes.
- ◆ Site support facilities such as bike racks, lockers, water fountains, etc., along sidewalks, pathways, and bikeways and near destination areas, to the extent possible.
- ◆ Plan facilities in coordination with the development of UC Merced.
- ◆ Continue to integrate bicycling with the transit system.
- ◆ Promote the development of a “Bicycle Buddy” website.
- ◆ Design sidewalks, pathways, and bikeways that integrate with the City’s Parks and Open Space Master Plan.
- ◆ Design facilities that support choosing active transportation at night.
- ◆ Provide training in pathway and bikeway design to City staff involved in land use and infrastructure development.
- ◆ Use cities designated by the League of American Bicyclists (LAB) as Platinum or Gold cities as models to follow for the best bikeway designs and encourage staff to seek advice from other bikeway planning professionals through the use of professional organizations to use as resources.
- ◆ Explore designs and appropriate sites in Merced for treatments such as sharrows, shared streets, and bike boulevards.
- ◆ Encourage the use of green thermoplastic in treatments for on-street cycling facilities and green cycling signage to reinforce their connection in users of all modes’ minds.
- ◆ Design bikeways that conform to the Caltrans Design Manual standards for bikeway classifications.

Enforcement

Enforcement involves police officers ensuring that all parties are held accountable to the law, but enforcement is also about ***implementing proactive measures*** to improve the safety of users of all modes. Increasing the public’s awareness of pedestrians and bicyclists through education will enhance safety; as such, many of the Education-related policies supplement and support the “Enforcement” policies listed below.

GOAL: Reduce the incidence of pedestrian-related and bicycle-related collisions with enforcement that emphasizes education, compliance, and proactive measures.

Policies:

- ◆ Continue to design sidewalks, pathways, and bikeways that minimize conflicts between bicyclists, motor vehicles, and pedestrians to the extent practical.
- ◆ Consider a system whereby people can easily report maintenance issues such as paths in need of sweeping, overgrown vegetation, lack of support facilities, vandalism, etc.
- ◆ Consider the provision of police patrol on paths.
- ◆ Seek to minimize the occurrence of bicycle thefts in the community through site plan review and consideration of use of bike lockers.
- ◆ Promote increased traffic safety with special attention to intersection operations and associated design, and hazards which could cause personal injury.
- ◆ Avoid situations where **paths** are located along the back sides of homes with limited visibility. Open fencing along **paths** should be considered, especially adjacent to multi-family developments.

Evaluation

To determine the benefits and successes associated with implementing the measures addressed in the ATP, routine assessments will need to be conducted. As funding is made available, coordination between various City Departments (Planning, Engineering, Parks and Recreation, Police, and Public Works), will ensure the implementation of the most beneficial, high priority improvements.

GOAL: Develop means to consistently and accurately measure active transportation use. Monitor facility and program successes.

Policies:

- ◆ Encourage surveys at schools and major employers to measure active transportation mode share from year to year.
- ◆ Seek to measure active transportation activity at various areas.
- ◆ Monitor the progress of the ATP, and update as required.
- ◆ Utilize the ATP to guide future decisions and recommendations, particularly as it pertains to project selection both for use of local funding sources and grant opportunities.
- ◆ Seek funding from various sources to implement the ATP.
- ◆ Evolve the Bicycle Advisory Commission into a more comprehensive Commission whose charges include pedestrian matters, issues affecting users or potential users with disabilities, and other active transportation subjects.
- ◆ Monitor progress on the League of American Bicyclist's recommendations, with the goal of applying to increase Merced's standing on the list of "Bike Friendly Communities."

Equity

When considering transportation needs to accommodate growth of the community, improvements to the City's active transportation network should be implemented with due consideration given to enhancements to all transportation modes (i.e. bicycle, vehicular, transit, and pedestrian). It is important to make sure that system improvements benefit the community as a whole, not just a limited geography or population. Reaching out to all regions of the community in workshop settings will provide opportunities for the City's populace to address their comments and suggestions during the planning process.

Many of the policies under the "Encouragement" category, as they pertain to partnering and coordination, also apply to "Equity," as a means to providing bike facilities throughout the City to most potential users.

GOAL: Work to encourage active transportation throughout the community for the residents, visitors, students and employees of the City of Merced.

Policies:

- ◆ Include, where appropriate, an assessment of pedestrian and cyclist transportation issues in City reports of discretionary projects, and environmental reviews.
- ◆ Seek to update the Official City Design Standards to be consistent with the ATP, the *Merced Vision 2030 General Plan* and the *Climate Action Plan*, by inclusion of facilities such as: traffic signal sensors that detect bicycles, placement of sharrows and other on-street pavement markings including preferred materials therefor, and signs beside and on the street that alert motor vehicle drivers to the presence and appropriateness of bicyclists on the street.
- ◆ Seek to develop an off-street trail and bikeway system in South Merced.
- ◆ Where consistent with City policies, consider adoption of code amendments concerning active transportation-related facilities.

Bikeway Standards

This chapter of the Bicycle Master Plan discusses several bikeway design guidance documents, and seeks to clarify which must be followed and which should be viewed as resources. These determinations and applicable roadways are listed in Appendix E Table B.

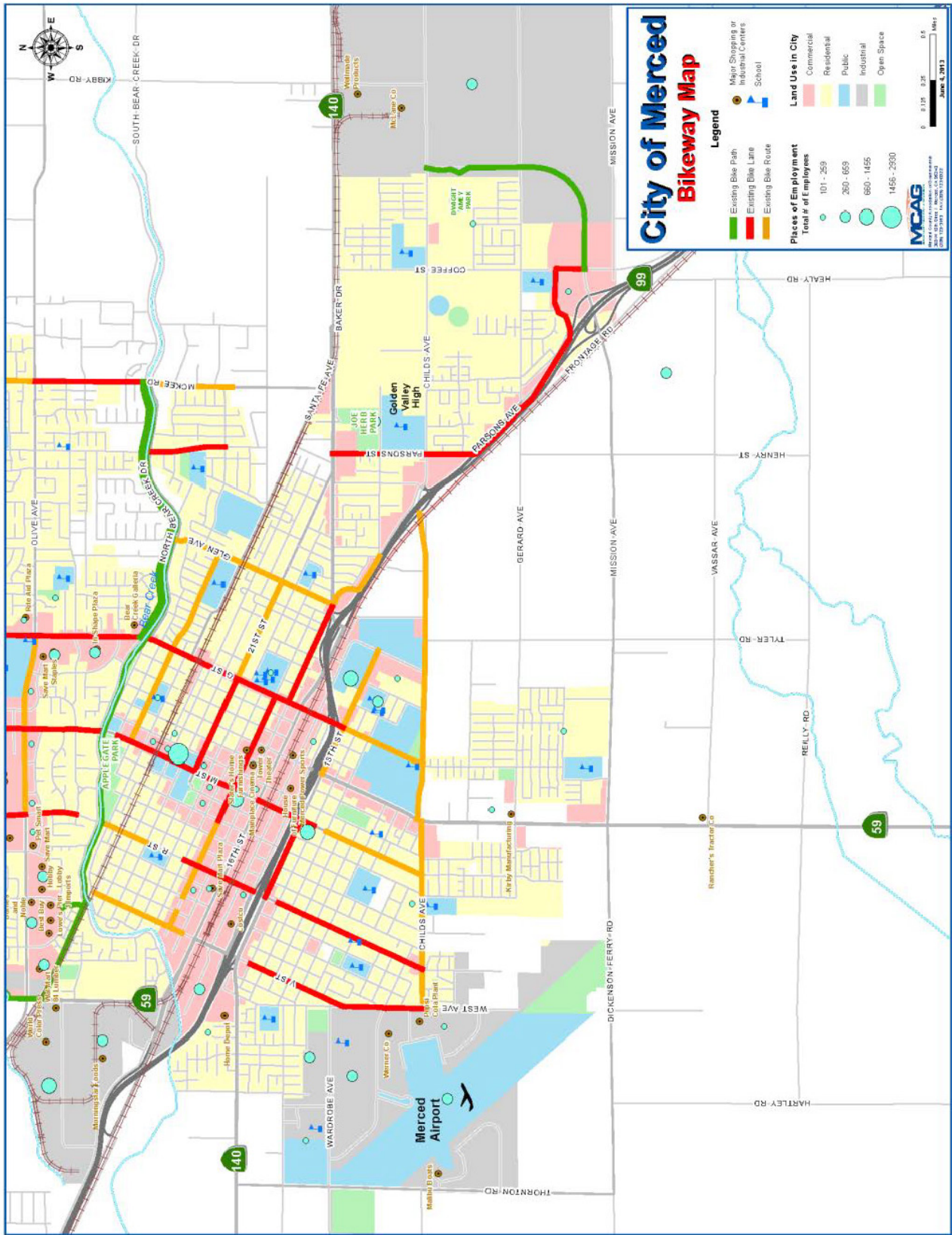
Appendix E Table B: City of Merced Bicycle Master Plan- Guidance Documents

<i>Document</i>	<i>Application</i>
AASHTO Green Book	Mandatory for National Highway System Optional for local roads
California Highway Design Manual	Mandatory for State Highways Optional for local roads
California Manual on Uniform Traffic Control Devices	Mandatory for all roads and highways, with limited options for flexibility or experiments
California Fire Code	Requires minimum clear width of 20 feet on all streets, unless exempted by local fire department
California Streets and Highways Code, and California Vehicle Code	Include elements that influence the California Manual on Uniform Traffic Control Devices

Existing and Proposed Bikeways

Maps of existing and proposed bikeways from the City of Merced Bicycle Master Plan are included on the following pages, in Appendix E Map III through Appendix E Map VI.

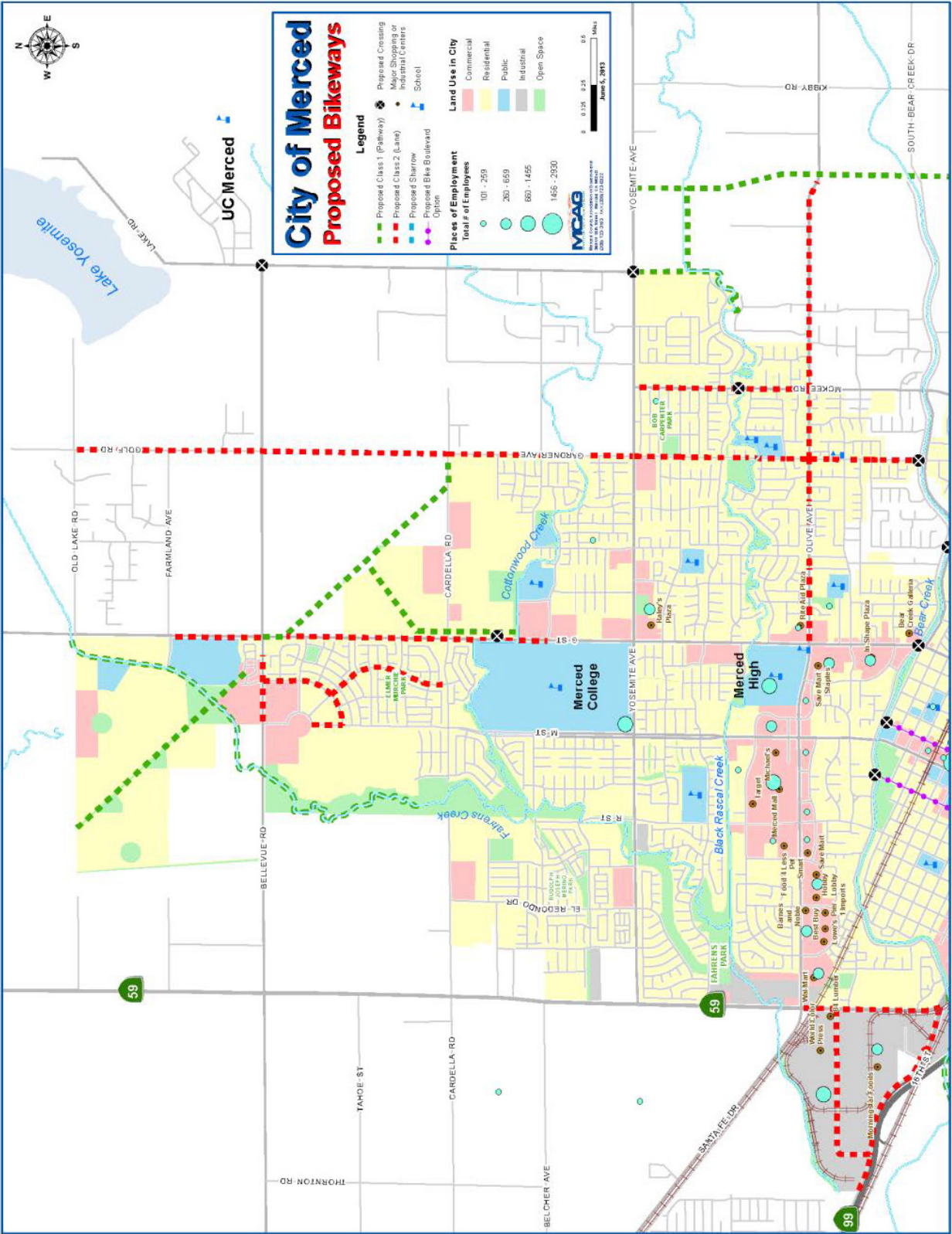




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BIKE MAP FIGURES

BIKE MAP FIGURES



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Existing Programs

Many education and encouragement programs serve the Merced community. Programs and agencies are listed in Appendix E Table C below.

Appendix E Table C: City of Merced Bicycle Master Plan- Existing Programs

Program	Description	Lead
Bicycle Clinics or Rodeos	Children learn bicycle skills at an annual Merco Credit Union racing event.	Merced Police Department Explorer Scouts
Youth Bicyclist Diversion Program	Children cited for riding without helmets or other infractions attend a bicycle safety class with their parents in lieu of a fine, and receive a free helmet. This program is on hold due to lack of funding.	Merced Police Department and probation department
Share the Road Outreach	Share the Road signs, driver's education materials, and a dedicated page on the city's website include information about sharing the road safely, and bicyclists' right to use the road.	City and County
Bike Safety Classes	Local bicycle safety instructors offer periodic classes through the League of American Bicyclists: Traffic Skills 101, Cycling Skills, Commuter Classes, and League Cycling Instructor seminars.	League of American Bicyclists Cycling Instructors (citizen volunteers)
Professional Driver Training	Transit drivers receive 40 hours of training upon hire, which includes a unit on bicyclists that covers their right to the road, use of bike lanes, and safe passing distances. School bus drivers receive training based on a Department of Education manual that emphasizes caution driving near bicyclists, safe passing distances, and rights of bicyclists.	City, School District, and Transit Operators
Wheel Solutions	Wheel Solutions is an education program that teaches bicycle repair and maintenance skills to homeless individuals, and provides each participant with a donated bicycle. The program is currently operating on a reduced schedule due to lack of funding, but holds monthly repair clinics and accepts bicycle donations.	Merced County Community Action Board

Enforcement

The Merced Police Department has a limited bicycle safety program that includes basic academy training on traffic laws and targeted enforcement campaigns.

Safety

The Merced Bicycle Master Plan includes a discussion of several metrics of safety, including collisions, school information, youth citations, and bicycle theft.

Transit

Multiple transit providers serve the City of Merced, including:

- ◆ Merced County Transit offers fixed-route service in the City
- ◆ Cat Tracks is a UC Merced transit service
- ◆ Amtrak train and bus service
- ◆ Yosemite Area Regional Transit Service (YARTS)

All transit vehicles in these fleets are equipped with racks or other space to carry bicycles, extending the potential range of bicycling trips in the area.

Past Expenditures

A list of past bicycle-related expenditures included in the 2013 Bicycle Master Plan is included in Table 23 below. This table includes projects between 2008 and 2013. Since the passage of the Bicycle Master Plan, further expenditures have been made which are discussed in “Recent Expenditures” on page 52.

Appendix E Table D: City of Merced Bicycle Master Plan- Previous Expenditures

Project Type	Project	Approximate Expense
Bike Path	Cottonwood Creek – Phase I (E of G St N of hosp to Tanager) (Project #103045)	\$207,000
Bike Path	Cottonwood Creek – Phase II (Cottonwood Creek Commuter Bike Path)	\$120,457
Bike Path	Cottonwood Creek – Phase III (White Dove to Gardner & W of G Street)	\$197,531
Bike Path	Campus Parkway bike path	Unknown
Bike Path	Highland Park bike path	Unknown
Bike Path	Black Rascal Creek bikeway (Parsons to McKee)	\$83,600
Bike Path	Barclay Way Bike Path (next to Bellevue Rd high school)	Unknown
Bike Path	Fahrens Creek Bike Path (W of R St, N of Yosemite Av) (Project #101067)	\$458,465
Bike Path	Cottonwood Creek Bike Bridge to G Street (W of G over ditch)	\$25,669
Bike Path	Black Rascal Creek – Moraga to Yosemite Ave/Lake Rd – ACTIVE	\$591,000
Bike Path	Black Rascal Creek Bikeway “G” to “M”	\$149,847
Bike Path	Bear Creek Bike Path/Bridges CMAQ Grant – ACTIVE	\$1,674,000
Bike Lane	Yosemite Avenue bike lane @ G St / (Project #111061)	\$21,500
Bike Lane	G Street Underpass (22 nd St to 26 th St) (Project #109052)	\$33,000
Bike Lane	16 th Street Overlay (on G St, from 16 th St to 22 nd St)	\$33,000
Bike Lane	G Street Overlay (26 th St to Park Ave)	\$33,000

Appendix E Table D, Continued: City of Merced Bicycle Master Plan- Previous Expenditures

<i>Project Type</i>	<i>Project</i>	<i>Approximate Expense</i>
Bike Lane	Paseo-Merced (10 feet of pavement on G/Bellevue)	Unknown
Bike Lane	Moraga (bike lanes on Yosemite Ave)	\$100,000
Bike Lane	Bike lanes on Mercy Ave @ hospital	Unknown
Bike Lane	W 18 th Street restriping/resurfacing (G to N Streets)	\$33,000
Bike Lane	Bike lanes, Central & South Merced – ACTIVE	\$280,000
Bike Lane	Parsons Avenue Extension (Project #112036)	\$5,000
Support Facility	M Street Retaining Wall (Bear Creek @ Mercy Community) (Project #104006)	\$119,710
Support Facility	Mercy Hospital (employee bike cage) / privately installed	Unknown
Support Facility	Bike Racks/Bike Shelters (CMAQ grant) – ACTIVE	\$202,100

Safe-Routes-to-School: Improving Safety and Health for Merced Students (2016)

A consultant team led a series of walk audits and working sessions at three Merced schools in August 2016. The resulting plan documents challenges identified during these sessions along with recommendations for improving walking and bicycling for Merced students and families.

Key challenges documented include:

- ◆ Arterial streets create barriers when safe crossings are not provided
- ◆ Railroad creates significant barrier
- ◆ Personal safety concerns including “stranger danger,” homeless camps, and stray dogs
- ◆ Lack of marked crossings and curb ramps
- ◆ Distance from home to school is challenging for walking
- ◆ Lack of connected bicycle facilities near schools, and lack of bicycle parking at schools

Recommendations were developed to address these challenges and divided into citywide efforts as well as specific improvements around four Merced campuses.

Citywide Recommendations

Programs

- ◆ Formalize a City or County SRTS planning committee
- ◆ Convene SRTS school teams at participating schools
- ◆ Launch pilot programs
- ◆ Develop a model school for walking and bicycling
- ◆ Encouragement: expand program beyond annual walk and bike to school days
- ◆ Encourage high school students to lead programs
- ◆ Teach traffic safety in schools
- ◆ Launch walking school bus and bike train programs
- ◆ Increase crossing guards and add safety patrols

Policies

- ◆ Evaluate school catchment areas for walkability
- ◆ Provide increased separation between modes of transportation
- ◆ Utilize temporary road configurations
- ◆ Stagger school release and establish remote drop-off locations
- ◆ Create or evaluate School Zones
- ◆ Implement pop-up traffic calming in School Zones
- ◆ Reduce speeds in School Zones
- ◆ Make double curb ramps the default
- ◆ Pass a strong Complete Streets ordinance, Develop a Complete Streets implementation guide
- ◆ Adopt a street design guide
- ◆ Conduct Health Impact Assessments

Projects

- ◆ Install curb extensions and crossing islands
- ◆ Install protected and buffered bike lanes
- ◆ Add leading pedestrian intervals and longer walk phases to pedestrian signals
- ◆ Install on-campus bicycle parking
- ◆ Install bike shelters and corrals
- ◆ Create a bicycle boulevard network

School Recommendations

Pioneer Elementary School

- ◆ Host “pop-up” parking lot reconfiguration
- ◆ Improve bicycle parking
- ◆ Calm traffic and improve crossings on East Gerard Avenue
- ◆ Work with developers to ensure that school access is prioritized
- ◆ Ensure that the new park east of campus is directly accessible
- ◆ Build roundabouts and open traffic flow on Coffee Street
- ◆ Build a pathway from S Parsons Avenue

Hoover Middle School

- ◆ Improve rail tunnel and intersections on E Santa Fe Avenue
- ◆ Formalize and enforce parking and drop off on E Santa Fe Avenue
- ◆ Paint intersection at E Santa Fe Avenue and 6th Street
- ◆ Traffic calm 26th Street between Glen and 7th; install raised crosswalk at 26th and 7th
- ◆ Work with Golden Valley students to lead programs

Tenaya Middle School

- ◆ Improve intersections adjacent to school
- ◆ Improve W Childs Avenue crossings
- ◆ Use traffic cones to reduce motor vehicle conflicts
- ◆ Install sheltered bicycle parking

Golden Valley High School

- ◆ Develop a bicycle map and bike route system
- ◆ Sponsor a student bicycle shop on campus
- ◆ Teach bicycle safety in school or after school
- ◆ Launch a campaign to build a skate park

Bicycle Friendly Community Application Feedback (2011)

The City of Merced submitted applications to the League of American Bicyclists (LAB) Bicycle Friendly Community (BFC) program in 2010 and 2011, and received an Honorable Mention. The LAB provides feedback to communities who submit applications outlining specific recommendations for the local contexts to either attain a BFC designation or reach the next higher BFC category.

The Merced Bicycle Advisory Commission reviewed this feedback at a meeting in 2017, summarizing the actions that had been completed since the previous application, and identifying short-term attainable actions the LAB recommended for Merced to become a Bronze BFC.

The following sections summarize progress made and short-term goals in each of the five E's the LAB evaluates communities on: engineering, education, encouragement, enforcement, and evaluation.

Engineering

Progress Made:

- ◆ Engineering standards consider bicyclists
- ◆ Trail network under development
- ◆ City planners & engineers receive training in bicycle and pedestrian planning and engineering
- ◆ Bicycle parking facilities conform to currently recognized standards
- ◆ Most public buses are equipped with bicycle racks
- ◆ 20% of roads accommodate bicycles, and 1/3 of arterial streets have bike lanes or paved shoulders

Short-Term Goals

- ◆ Increase the amount of bicycle parking at popular destinations (transit stops, schools, recreation/entertainment facilities, retail/office clusters, and churches)
- ◆ Improve efficiency and safety at intersections and multi-use path crossings:
- ◆ Time traffic lights for bicycle speeds, and incorporate cameras, loop detectors, or bicycle signal heads
- ◆ Include on-street pavement markings to help bicyclists trigger loop detectors
- ◆ Consider installing bicycle boxes for greater bicyclist visibility
- ◆ Incorporate grade-separated multi-use path crossings and other treatments for medium and high-traffic roads

- ◆ Educate path and road users on right-of-way hierarchies
- ◆ Ensure schools and surrounding neighborhoods are safe and convenient for bicycling
- ◆ Ensure new or improved facilities conform to NACTO Urban Bikeway Design Guide & AASHTO Guide for the Development of Bicycle Facilities & CA MUTCD & California HDM Chapter 1000
- ◆ Consider infrastructure such as colored bike lanes, bicycle tracks, and contra-flow bicycle lanes
- ◆ Provide ongoing training for engineering, planning, and law enforcement staff
- ◆ Consider a membership to the Association of Pedestrian and Bicycle Professionals for City bicycle and pedestrian staff
- ◆ Host a Smart Cycling course for City staff to increase understanding of bicyclist needs, behavior, and their right to use city streets and multi-use paths for transportation
- ◆ Install wayfinding signage at strategic locations
- ◆ Consider measuring the bicycle level of service (BLOS) on roads and intersections, to identify:
 - ◇ The most appropriate routes for inclusion in the bicycle network
 - ◇ The weak links in the network and priority sites for improvement
 - ◇ Any alternative treatments for improving the bicycle-friendliness of a roadway or intersection
- ◆ Consider road diets in appropriate locations to make streets more efficient and safe; use created space for bicycle and pedestrian facilities

Education

Progress Made

- ◆ Community website has a page dedicated to motorists & bicyclists sharing the road safely
- ◆ “Share the Road” signs have been installed on G Street
- ◆ Transit operators and school bus drivers take a safe driving training

Short-Term Goals

- ◆ Make bicycle safety curriculum a routine part of public education
- ◆ Work with BAC and local advocates to implement a Safe-Routes-to-School program that emphasizes bicycling for all grade levels
- ◆ Continue to expand public education campaigns through public service announcements, a community newsletter article, or a bicycle ambassador program
- ◆ Enlist the help of local advocates for content and strategy development, and for implementation assistance
- ◆ Improve the reach of bicycle safety campaigns; use the LAB's "Ride Better" tips in outreach, education, and encouragement efforts
- ◆ Add bicycling and motorist education messages to local activities, such as drivers licensing and testing, or include inserts in utility bills
- ◆ Start a bicyclist and motorist ticket diversion program (waive violation fees by attending a bicycling education course)
- ◆ Start a motorist education program for professional drivers such as bus and taxi drivers
- ◆ Integrate Smart Cycling curriculum into motor vehicle violation diversion programs, SRTS, and motorist education classes for City and private sector employees
- ◆ Host a League Cycling Instructor (LCI) seminar to increase the number of LCIs in the community
- ◆ Offer regular bicycle maintenance classes to residents at public parks, libraries, community centers, and in conjunction with City events
- ◆ Offer skills classes, Traffic Skills 101, and commuter classes on a frequent basis

Encouragement

Progress Made

- ◆ National Bike Month is promoted with a City proclamation, community ride, mayor-led ride, an event calendar, a website, commuter breakfasts and energizer stations, and a trail construction/cleanup day
- ◆ Outside of Bike Month, community rides and trail construction/cleanup days are held

Short-Term Goals

- ◆ Reach additional children through recreational programs, bicycle repair co-ops, family-friendly community bicycle events, and through youth bike clubs
- ◆ Promote, host, sponsor, or encourage bike-themed family-friendly community events:
 - ◇ Bicycle Movie Festival
 - ◇ 4th of July bicycle parade
 - ◇ Thanksgiving appetite ride
 - ◇ “Dress like Santa” community rides
 - ◇ Kids triathlon
 - ◇ Halloween bicycle decorating contest
 - ◇ Bike to the Arts events
- ◆ Pass an ordinance that would require larger employers to provide bicycle parking, shower facilities, and other end-of-trip facilities
- ◆ Encourage local colleges to promote bicycling and seek recognition through the Bicycle Friendly University
- ◆ Actively involve the local bicycle community in planning efforts, policy development, and public outreach
- ◆ Set up and promote celebrations, ribbon cuttings, and rides each time the community completes a new bicycle-related project
- ◆ Design and publish local bicycle maps in paper and online, addressing diverse needs and user levels, and also identifying the location of landmarks, greenways, public restrooms, bike routes, scenic routes, bicycle repair stations, bicycle parking, and transit stations
- ◆ Offer a “Ciclovía” or “Summer Streets” event, closing off a major corridor to auto traffic and offering the space to bicyclists, pedestrians, and group exercise events
- ◆ Partner with a local advocacy group or club to launch a bike buddy or mentorship program for inexperienced riders
- ◆ Ensure that there is a place for visitors and community members to rent bicycles
- ◆ Implement a mechanism that ensures facilities, programs, and encouragement efforts are implemented in traditionally underserved communities

Enforcement

Progress Made

- ◆ Officers receive specific training on the relationship between bicycling and law enforcement
- ◆ Specific penalties are in place for failing to yield to a bicyclist when turning, and/or it is illegal to park or drive in a bicycle lane
- ◆ There are penalties for motor vehicle users that “door” bicyclists
- ◆ There is a ban on cell phone use while driving
- ◆ There is a ban on texting while driving

Short-Term Goals

- ◆ Invite police staff to become an active member of the bicycle advisory committee
- ◆ Appoint a law enforcement point person to interact with bicyclists
- ◆ Actively facilitate stronger connections between bicycle advocates, the wider bicycling community, and law enforcement
- ◆ Use targeted information and enforcement to encourage motorists and bicyclists to share the road, i.e. with brochures or tip cards explaining each user’s rights and responsibilities
- ◆ Increase the number of police officers patrolling multi-use paths and streets on bike, keeping secluded multi-use paths safe, and expanding the officers’ understanding of the condition for bicyclists
- ◆ Repeal local laws that discriminate against bicyclists, or restrict their right to travel, or reduce their relative safety

Evaluation & Planning

Progress Made

- ◆ Merced has a Bicycle Master Plan with a dedicated funding source
- ◆ There is a trip reduction ordinance or program

Short-Term Goals

- ◆ Expand the City bicycle manager’s time focused on bicycle projects
- ◆ Increase bicycle program staff time

- ◆ Fully implement the comprehensive bike plan and continue to close gaps in the bicycling network
- ◆ Expand efforts to evaluate bicycle crash statistics and produce a specific plan to reduce the number of crashes in the community
- ◆ Conduct an economic impact study on bicycling in your community
- ◆ Expand the bicycle manager's time focused on BFC efforts
- ◆ Consider a full-time staff person devoted to acquiring bike/pedestrian grants and making the community bike-friendly

City of Merced Municipal Code

Title 8 Health and Safety

8.40 Nuisance: 8.40.050 Keeping Sidewalks Clean

The occupant or tenant, or in the absence of occupant or tenant, the owner, lessee, or proprietor of any real property in the city in front of which there is a paved sidewalk shall maintain the sidewalk free of accumulating dirt, sand, soil (including eroding dirt, sand, or soil), leaf, vegetation, waste paper, hay, grass, straw, weeds, litter, sawdust, building materials, paint, chemical, combustible materials, trash, or other debris, and shall promptly remove such materials from the sidewalk, gutter, and storm drains located under or next to the sidewalks. Sweepings from the sidewalk shall not be swept, blown by mechanical means, or otherwise made or allowed to go into the gutter or roadway, but shall be disposed of in receptacles maintained on such real property as required for the disposal of garbage or green waste, as appropriate.

Title 10 Vehicles and Traffic

10.24 Pedestrians: 10.24.010 Crosswalks

- A. The city engineer shall establish, designate and maintain crosswalks at intersections and other places by appropriate devices, marks or lines upon the surface of the roadway as follows:

Crosswalks shall be established and maintained at all intersections within a business district, and at other places within or outside business districts where the city engineer determines that there is a particular hazard to pedestrians crossing the roadway subject to the limitation contained in subsection B of this section.

- B. Other than crosswalks at intersections, no crosswalk shall be established in any block which is less than four hundred (400) feet in length. Elsewhere, not more than one additional crosswalk shall be established in any one block and such crosswalk shall be located as nearly as practicable at midblock.

10.44 Bicycles: 10.44.020 Bicycle Registration

No person shall ride, operate or use a bicycle upon any public street or highway in the city without first registering the bicycle on a national bicycle registry.

10.44 Bicycles: 10.44.040 Registration – Operation Restricted

When registered, bicycle registration shall entitle the owner to operate such bicycle for which the registration has been issued upon all the streets, public highways and designated bicycle trails of the city. Bicycles may also be operated on all the sidewalks of the city except the following, when appropriate signs are displayed thereon:

- ◆ Main Street from G to V Street
- ◆ 18th Street from Martin Luther King Jr Way to N Street
- ◆ I Street from 16th to 18th Street
- ◆ Martin Luther King Jr Way from 16th to 18th Street
- ◆ K Street from 16th to 18th Street
- ◆ M Street from 16th to 20th Street
- ◆ N Street from 16th to 18th Street.

Title 20 Zoning

20.38 Parking and Loading: 20.38.080 Bicycle Parking

- A. Applicability. All multi-family and nonresidential land uses shall provide bicycle parking as specified in this section and in accordance with Sections 20.38.020 (Applicability) and 20.38.030 (Required Parking Spaces), except for the following uses:
1. Gas and service stations
 2. Maintenance and repair services
 3. Vehicle repair
 4. Vehicle sales and rental
 5. Wholesaling
 6. Construction and material yards
 7. Warehousing and distribution
 8. Other similar uses as determined by the director of development services.

B. Types of Bicycle Parking.

1. Short-Term/Class II Bicycle Parking. Short-term/Class II bicycle parking provides shoppers, customers, and other visitors who generally park for two (2) hours or less a convenient and readily accessible place to park bicycles.
2. Long-Term/Class I Bicycle Parking. Long-term/Class I bicycle parking provides employees, residents, visitors and others who generally stay at a site for several hours a secure and weather-protected place to park bicycles.

- c. Bicycle Parking Spaces Required. The number of required bicycle parking spaces shall be as specified in Table 20.38-4 (Required Bicycle Parking Spaces).

Appendix E Table E: City of Merced Municipal Code- Required Bicycle Parking

Land Use	Required Short-Term Spaces	Required Long-Term Spaces
Multi-family Dwellings of 6 units or more, Group Housing, and Single Room Occupancy	10% of required automobile parking spaces; minimum of 2 spaces	1 per 10 units; minimum of 2 spaces
Non-Residential Uses	8% of required automobile spaces; minimum of 2 spaces	8% of required automobile spaces for uses 10,000 square feet or greater; minimum of 2 spaces

- D. Short-Term/Class II Bicycle Parking Standards. Short-term bicycle parking shall be located within one hundred (100) feet of the primary entrance of the structure or use it is intended to serve, be readily visible to passers-by, and at least twenty-five (25) percent of required short-term bicycle parking spaces shall be covered.

- E. Long-Term Bicycle Parking Standards. Following standards shall be recommended for long-term bicycle parking:

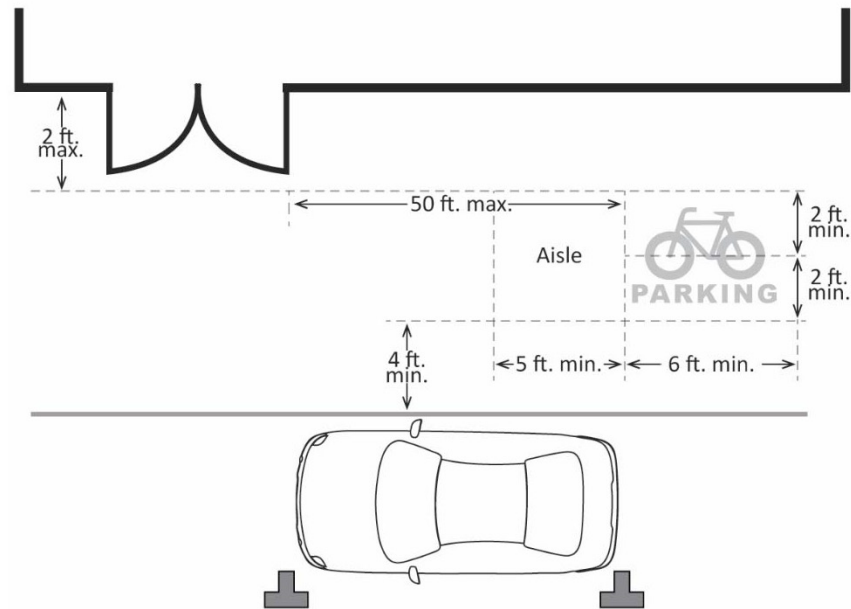
1. Location. Long-term bicycle parking shall be located in highly visible, well-lighted areas that are convenient to the street and users.
2. Cover. A minimum of seventy-five (75) percent of required long-term bicycle parking spaces shall be covered.
3. Parking Facilities. Long-term bicycle parking spaces must be secure and may include:
 - a. Covered, lockable enclosures with permanently anchored racks for bicycles; or,
 - b. Lockable bicycle rooms or areas with permanently anchored racks; or,
 - c. Lockable, permanently anchored bicycle lockers.

- F. Parking Space Dimensions.

1. Minimum dimensions of two (2) feet by six (6) feet shall be provided for each bicycle parking space (illustrated in Figure 20.38-3).
2. An aisle of at least five (5) feet shall be provided behind all bicycle parking to allow room for maneuvering.
3. Two (2) feet of clearance shall be provided between bicycle parking spaces and adjacent walls, polls, landscaping, pedestrian paths, and other similar features.

4. Four (4) feet of clearance shall be provided between bicycle parking spaces and adjacent automobile parking spaces and drive aisles.
- G. Rack Design. Bicycle racks must be capable of locking both the wheels (one (1) wheel with a U-type lock), providing at least two (2) points of contact with the frame of the bicycle, and supporting bicycles in an upright position. “Inverted U” bicycle racks are highly recommended.
- H. Cover. Required cover for bicycle parking spaces shall be permanent, designed to protect the bicycle from sun and rainfall, and be at least seven (7) feet above the floor or ground.

Appendix E Figure 3: City of Merced Municipal Code- Short-Term Bike Parking



City Maintenance Policies

On-Street Bikeways

On-street bicycle facilities are swept in conjunction with roadways. Residential streets are swept twice monthly; business districts are swept weekly.

Bicycle Paths

Off-street bicycle paths are maintained by the Streets and Parks Divisions. Paths are swept every other week, and other maintenance or repairs are performed on an as-needed basis when an issue is reported to Public Works.

Sidewalks

Routine sweeping and clearing of debris on sidewalks is the responsibility of the adjacent property owner or tenant, as established in code section 8.40.050. Repairs to the sidewalk surface are made by Public Works on an as-needed basis when issues are reported by the public, or when staff identify a need during other work or maintenance operations.

Appendix F: Public Participation Documents

Documentation of Public Outreach and Coordination

Appendix F contains documentation of public outreach undertaken while creating this plan, including photos, agendas, sign-in sheets, flyers, presentational materials, and notes from meetings.

This information also shows the coordination with neighboring jurisdictions, including school districts within the plan area, and how it is consistent with other local or regional transportation, air quality, or energy conservation plans, including but not limited to, general plans and a Sustainable Community Strategy in a Regional Transportation Plan. The coordination between the City of Merced and organizations, both locally and statewide, throughout the process has helped to ensure that this plan aligns with those agencies' plans.

Examples of agencies participating in this process include but are not limited to the Merced Union High School District, Merced County Public Health, the High-Speed Rail Authority, Merced College, the Merced County Association of Governments, Cultiva La Salud, Building Healthy Communities, UC Merced, and other partners.

CFG/ITAC Joint Meeting 4.18.17 Merced ATP/SPTS Plan

Name	Organization	Email
Mark Chali'co	Resident	markchali'co@gmail.com
Juana Chávez	Resident	chavezjuana21@gmail.com
Rose Porter	Resident	—
David Ocampo	Merced Union HSD	docampo@muhsd.org
Nicholetta Gallagher	Resident	vinceandnikia@yahoo.com
Ben Lichty	CA High-Speed Rail Authority	Ben.Lichty@hsr.ca.gov
Laurel Smith	CA High-Speed Rail Authority	Laurel.Smith@hsr.ca.gov
Corinne Chavez	Rec + Parks Commissioner Resident	Corinnechavez08@yahoo.com
Therese Roschen	City of Merced	RoschenT@CityofMerced.org
NATALIA AUSTIN	MCAAG	natalia.austin@mcaag.org
Paul Baxter	Merced College	paul.baxter@mccd.edu
Stephanie Nathan	Public Health	snathan@co.merced.ca.us
Lisa Kasper-Grant	Bicycle Advisory Commission or Bicycle Coalition	



Merced Active Transportation & Safe Routes to School Plan

Joint Meeting: Technical Advisory Committee & Citizen Focus Group

April 18, 2017 from 4:00 PM to 6:00 PM

Meeting Notes

A joint meeting of the Technical Advisory Committee and the Citizen Focus Group was held to present project work completed to date and gather input on project goals and priorities. Discussion themes and outcomes are documented below.

Introductions

- ◆ Mark Chalico – resident
- ◆ Juana Chavez – resident
- ◆ Rose Porter – resident; Living Well Café
- ◆ David Ocampo – Merced Union High School District
- ◆ Nicholette Gallagher – resident
- ◆ Ben Lichty – California High Speed Rail Authority
- ◆ Laurel Smith – California High Speed Rail Authority
- ◆ Corinne Chavez – Recreation & Parks Commissioner
- ◆ Theron Roschen – City of Merced Engineer
- ◆ Natalia Austin – MCAG
- ◆ Paul Baxter – Merced College
- ◆ Stephanie Nathan – Merced County Public Health
- ◆ Lisa Kayser-Grant – Bicycle Advisory Commission & Bicycle Coalition

Goal Setting Exercise

Participants were asked to write down and discuss their vision for walking and bicycling in Merced ten years from today, thinking about what a successful plan would accomplish for the community. Responses are documented below.

- ◆ Distinguished walking and bicycling paths
- ◆ Merced is a walking town with appropriate transportation where needed
- ◆ K Street and Canal Street are complete streets that are safe and comfortable for walking and bicycling, and accessible
- ◆ Key walking and bicycling routes to school are identified, and improvements are prioritized along these routes
- ◆ Shift in thinking – driving is not the default, and lifestyle/livability are more important
- ◆ Complete Streets connect Merced

- ◆ Walking and bicycling are the highest priority for downtown investment
- ◆ Bike-share, bike parking, and separated bikeways
- ◆ Leadership champions walking and bicycling
- ◆ A politically sanctioned priority list of projects with dedicated funding
- ◆ Significant mode shift for children walking and bicycling to school safely
- ◆ Updated improvement and development standards that address ATP goals
- ◆ Bicyclists are a common sight
- ◆ Cars in the downtown area are scarce
- ◆ Cars are slower, and there is less congestion
- ◆ Well-defined bikeways
- ◆ Healthier community
- ◆ Reduced greenhouse gases, reduced congestion
- ◆ More people bicycling and walking creates an inviting atmosphere
- ◆ People from other cities that are used to walkable communities see Merced as an inviting community and will move here
- ◆ More businesses will be attracted to downtown areas and other places where people are walking and bicycling
- ◆ More people can reach their destinations without driving
- ◆ Wider bicycle and pedestrian paths
- ◆ Merced is an active and vibrant community, where downtown residents advocate for the area to be a bicycling and walking city with wider sidewalks.
- ◆ K Street is a walking hub to John Muir Elementary and to Main Street
- ◆ Gold standard – Merced considered a Bicycle Friendly Community by the League of American Bicyclists
- ◆ UC Merced is better connected to downtown
- ◆ Every road has a sidewalk, bicycle path, and trees, and there are few or no collisions between vehicles and bikes/pedestrians
- ◆ Bus routes and transit stops are improved

Review Completed Work

- ◆ Removing on-street parking to provide bicycle facilities is likely a non-starter in the downtown area
- ◆ Consider mode share goals for public agency employees – schools, city, and county
- ◆ Coordination with High Speed Rail station area planning
 - Downtown station area plan focusing on how to bring people to the station on foot, by bicycle, and on transit
- ◆ Measure V – half cent sales tax; could be used to leverage as a local match for federal funding
- ◆ Enforcement challenges – limited funding; their mission is focused on addressing crime, not on traffic enforcement

High Priority Connections

General Comments and Improvement needs:

- ◆ Uneven sidewalk surfaces create challenges for people walking and bicycling, especially for those using wheelchairs or other mobility devices
- ◆ Accessibility improvements to bus stop areas – paved surfaces, shelters, fewer potholes
- ◆ Consider community group to support or raise funding for ADA improvements, or “sponsor” the corner near their home or business
- ◆ Personal security concerns near schools, with strangers in vehicles trying to recruit children for illegal activity or engaging in domestic disputes
- ◆ School events could build excitement around walking and bicycling
- ◆ Motorists generally do not respect or stop for people in wheelchairs or power chairs
- ◆ Conduct SRTS/ADA audits at every school to identify improvements

Locations for Improvements:

- ◆ Main Street needs a stop sign or flashing light to protect pedestrians
- ◆ Exit point of Bear Creek Bike Path needs to have ADA accessibility, completed sidewalks, and better water drainage
- ◆ Merced Avenue and Parsons & Childs need distinguished walking and bicycling paths
- ◆ Key accessibility challenges:
 - 23rd Street and P Street – no ramp
 - 23rd Street and O Street – uneven pavement
 - 23rd Street and R Street – sidewalk pavement damaged; bus drops off passengers in grass; no marked crosswalk
- ◆ 16th Street – priority for Complete Street; leads to freeways and currently lacks sidewalks
- ◆ SR 99 is a barrier
- ◆ Motel Drive/Merced Avenue/Almond Avenue – offset skewed intersection with triangular island; consider reconfiguring or creating a roundabout to improve flow and reduce conflicts
- ◆ G Street and R Street – connections north to shopping, university, and across SR 99
- ◆ Need for better sidewalk and bike lanes on Santa Fe

Engagement Priorities

Meeting participants were provided with a packet identifying stakeholders and advocates, and asked to provide feedback if information was incorrect or they knew of additional groups or individuals that should be contacted. General comments included:

- ◆ Park cleanup groups
- ◆ Church-based groups, including youth groups
- ◆ Tabernacle Church currently has a late-night walking group that conducts neighborhood patrols
- ◆ Present information at Sunday church services

Next Steps

- ◆ Alta will distribute schedule information to the group
- ◆ Alta & City staff will identify project milestones to share information with Council and encourage their feedback



Merced Active Transportation & Safe Routes to School Plan Technical Advisory Committee Meeting

July 27, 2017 from 2:30 PM to 3:30 PM

Merced City Hall

Meeting Agenda

Item
1. Introductions
2. Overview of Considerations <ul style="list-style-type: none">a. Staffingb. Design and constructionc. Maintenance
3. General Funding Sources
4. Challenges and Opportunities
5. Next Steps

TAC Meeting Sign-In Sheet

July 27, 2017
Merced City Hall

Name	Organization	Email
Ben Lichty	Ca High-Speed Rail Authn.	Ben.Lichty@hsvr.ca.gov
Steven Son	City of Merced	sons@cityofmerced.gov
Adilene Peña	Cultiva La Salud	apena@unitedwaymerced.org
McArthur Armas-Kelly	Cultiva La Salud	United Way martha@unitedwaymerced.org
Michael Heen	City of Merced	mhenn@cityofmerced.org
Lisa Kayser-Grant	Merced Bicycle Coalition City Bicycle Advisory Commission	Lkaysergrant@yahoo.com
NATALIA AUSTIN	MCAG	natalia.austin@mcagov.org

Introductions

- ◆ Steven Son – Engineering; Deputy Dir. Public Works
- ◆ Michael Hren – Principal planner
- ◆ Ben Lichte – HSR Authority
- ◆ Kendra & Emily – Alta
- ◆ ALTA send Steven the information on the ATP cycle 3 resubmitting happening now
- ◆ Adalyn Pena – Cultiva la Salud
- ◆ Martha Armas-Kelley – Cultiva la Salud (PITCH grant, ATP grant coordinator)
 - PITCH partnership in community health
- ◆ Lisa Keyser-Grant – BAC, past grant work
- ◆ Natalia - MCAG

Overview of Considerations

- ◆ Staffing
 - Project delivery is a struggle – restructuring of department. Trying to refocus staff on what needs to be done. Anticipating 6 months-1 yr before things settle.
 - Projects prioritized based heavily on how easily they can be delivered
 - Need to move towards dedicating individual staff time at the City solely to bike/ped, with the hope of eventually having a person fully devoted to active transportation
 - UC Merced has a transportation planner, but doesn't have a dedicated bike/ped person
- ◆ Design & Construction
 - City doesn't have staff to design in-house. Don't have staff to hire consultants to do the design either though. That's part of the next year.
 - Low ridership/walking currently, so we should be doing a lot of surveying/input gathering to make sure we can identify where people WANT to be walking and bicycling now
 - Education and marketing/encouragement of new facilities will be important
 - SafetyTown USA
 - Need for capacity building around the planning & design process for residents, so they understand the constraints
 - Use signs as education
 - Plan needs to consider whether each recommendation is feasible – ATP has a tight turnaround, any ROW acquisition is going to make a project unappealing for engineering to tackle
 - City policy on lane width? Steven not sure – he'll look it up.
- ◆ Maintenance
 - Concerns about separated bikeways – maintenance, don't want to be the guinea pig. Concerns about building something that involved if we aren't sure who will potentially use it
 - Emphasis on “common sense approach” by the city

- Animal control is a concern moving forward

General Funding Sources

- ◆ SB 1 – Merced is disadvantaged, and with HSR on the horizon
 - \$100M for parkway expansion to campus
 - \$400M for ACE extension towards Modesto (Merced is phase 2 of this effort)
 - ATP applications are best bet to access this funding
- ◆ ATP – regional through SanJuan COG
 - January release – Applications due in February 2018
 - \$25 million available for Cycle 4. Half to MPOs, half through statewide competitive
- ◆ FHWA HSIP
 - General Notes
 - Data driven, focused on hard figures that can be assigned
 - SR 59/MLK Jr Way
 - SR 140/Central Yosemite Highway
 - Hwy 99 crossings
- ◆ People for Bikes Community Grant Program
 - Smaller funding amounts
 - Requires coalition of city involvement, nonprofit partners
 - Potential uses – refresh sharrows downtown, small projects

Challenges & Opportunities



Next Steps

- ◆ Project Mesa (community effort)

WHERE DO YOU:
DÓNDE:

WALK?
¿CAMINAR?

BIKE?
¿IR EN BICICLETA?

CATCH THE BUS?
¿COGER EL AUTOBÚS?

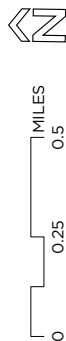
WHERE WOULD YOU
LIKE TO:
¿DÓNDE TE GUSTARÍA:

WALK?
¿CAMINAR?

BIKE?
¿IR EN BICICLETA?

WHERE DO YOU AVOID
WALKING OR BIKING?
¿DE DÓNDE EVITA
CAMINAR O ANDAR
EN BICICLETA?

- School
- Public



Map produced July, 2017.





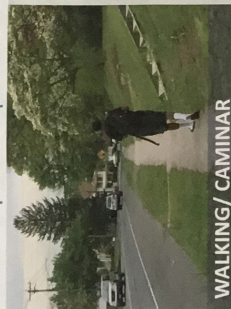
What Mode of Transportation Do You Prefer?

¿Qué Medio de Transporte Prefieres?

place a **GREEN** dot next to the mode of transportation you **currently use** for everyday purposes
 place a **YELLOW** dot next to the mode of transportation you **would like to use** for everyday purposes

Coloque un punto **VERDE** al lado del medio de transporte que **usted usa actualmente**

Coloque un punto **AMARILLO** al lado del medio de transporte que **a usted le gustaría usar** día a día



WALKING/ CAMINAR



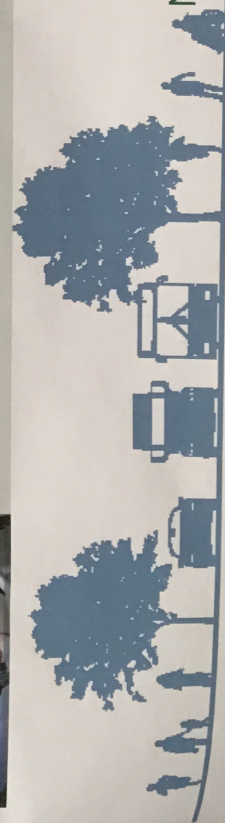
BICYCLING/ EN BICICLETA



DRIVING ALONE/
MANEJAR SOLO/A



CARPPOOLING/
COMPARTIR AUTOMÓVIL



Merced Active Transportation/SRTS Plan





Merced Active Transportation & Safe Routes to School Plan Technical Advisory Committee Meeting

September 19, 2017 from 2:00 PM to 3:00 PM

Merced City Hall

Meeting Agenda

Item
1. Introductions
2. Overview of Low-Cost Countermeasures
3. Discussion: Where Countermeasures Would Benefit Merced
4. Next Steps



Merced Active Transportation & Safe Routes to School Plan Technical Advisory Committee Meeting

September 19, 2017 from 2:00 PM to 3:00 PM

Merced City Hall

Meeting Notes

1 Introductions

- Kendra & Emily
- Michael Hren
- Ben Lichty HSRA
- Laurel Smith HSRA
- Juana Chavez
- Abigail, District 7
- Juan Olmos (Public Works)
- Corinne Chavez, Parks
- Janet Epling Casper – Human Services Agency

2 Low-Cost Countermeasures & Applications in Merced

- Bicycle Lanes, including buffered bike lanes
 - Parsons Ave – buffered bike lanes? (South of Bear Creek new portion, and some N of the creek as well. Some locations are wider than others)
 - G Street –lanes are currently quite wide
 - R Street N of Bear Creek
 - M Street N of Bear Creek
 - Bellevue (key university connection, safety concerns)

- 5th and N, by Tenaya School – there's a street that's wide enough for parking; can we provide a bike facility to connect to Childs
- Childs Ave going towards Golden Valley HS – there's no sidewalk, only dirt, from B Street to the Overpass (which is also a mess) – canal east of the High School, kids walk along to get to Weaver School
 - Might be a candidate for paved shoulder and/or DG paths
- Roadway Reconfiguration (road diet)
 - Lane widths (10-12 feet) – has the city researched whether they allow lanes less than 12 feet wide? (Unsure – need to check in with Engineering, may be context-sensitive to the specific roadway)
 - 16th Street
 - Olive
 -
- Paved Shoulders
 - What distinguishes a bicycle lane from a paved shoulder?
 - Bellevue (this is what they did)
 - Childs Ave – both sides
 - MLK – wherever the bike lanes stop
- Sidewalks and walkways
 - One of the alleyways between downtown & the bike trail (see meeting notes from one of the first meetings of this group – a woman was recommending this)
 - Campus Parkway – has nice sidewalks built, but there's nothing over there. Buffered bike lanes?
 - Sidewalk is 8' wide currently
 - South Merced residents feel a lack of connectivity to the facilities (paths especially) that are being newly built north of Bear Creek
 - Motel Drive – near freeway, Childs, McDonalds – no formal walkway, just gravel (challenging for strollers or wheelchairs etc) – Merced/Motel/Rose(?) may be a good candidate for a roundabout or some other way to facilitate traffic at that irregular/skewed intersection
 - Maintenance of existing sidewalks is another challenge. Many are skewed, cracked, tripping hazards/roots.

- Curb ramps
- Marked crosswalks and enhancements
 - Does Merced have any plans to implement ped scrambles at an intersection? (It's been discussed, but not sure if there are any specific plans or timeframe to move forward)
 - May be appropriate in contexts near future high speed rail station, where you have lots of people exiting the train/station area all at the same time
 - UC Merced has talked about a few locations on their campus that may make sense for these in the future
 - R and Childs – they just did a 4 way stop sign, but it's an irregular intersection. Marking crosswalks would help (and probably needs ped lighting as well)
 - Need for education – students from Golden Valley
 - Hoover Area – some streets are pretty narrow (yield street), others are quite wide but lack formal pedestrian space. Many intersections with no stop in any direction
 - Santa Fe, after the end of Hoover
 - Intersection – Yosemite/Stretch/Green (Alta take a look)
 -
- Curb Extensions and Parking Restrictions
 - V Street, south Merced – coming off of 8th has challenging sight lines
 - Olive Ave exiting the mall – landscaping creates visibility challenges for bicyclists (who are told to use the sidewalk in that section)
 - M Street btwn 18th & 16th – bike lanes end, and people go up onto the sidewalk (which is against city ordinance)
 - Could be addressed with signage or other campaigns that make bicyclists confident that they should/could be taking the full lane
- Signal Enhancements and Beacons
 - Beacon by Golden Valley on Parsons has not been successful – cars don't yield. (RRFB with in-pavement flashers)
 - One on G street by train overpass – heavily used, works well
 - Concerns though with the new underpass, cars don't stop because they are worried about being rear-ended by other cars

- Consider other traffic calming or increased visibility measures to address this challenging location
- Stop Sign Enhancements
- Roundabouts and Traffic Circles
 - Send out conflict (roundabout vs conventional) diagram to TAC/CFG
 - Merced Avenue & Ronnie
 - Challenges – limited budget for law enforcement/PD, too (they are just now getting their dedicated Traffic Unit back)

3 Discussion: Where Countermeasures Would Benefit Merced

-

4 Next Steps

-

TAC Meeting Sign-In Sheet

September 19, 2017
Merced City Hall

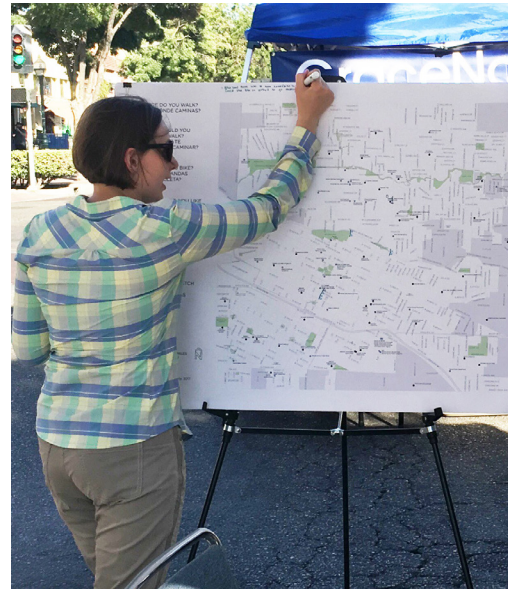
Name	Organization	Email
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Tuameta chavez	Merced	chavezjuana21@gmail.com
Cynthia Ratzlaff	Youth Council	cratzlaff705123@mercedstudents.org
Corinne Chavez	Rec 3 Parks	corinnechavez.DS@yahoo.com
Ben Lichty	High-Speed Rail Auth.	Ben.Lichty@hsrc.ca.gov
Abigail Ramirez	LCJA	aramirez@leadershipcounsel.org
Lisa Kayser-Grant	Merced Bicycle Coalition	Lkaysergrant@yahoo.com
Karim Groth	UC Merced	kgroth@ucmerced.edu

[illegible]

Ciudad de Merced Plande Transporte Activo y Caminos

¡Ayuda a que nuestras calles sean más seguras para todos!

El Plan de Transporte Activo y Caminos Seguros a la Escuela de la Ciudad de Merced mejorará la seguridad, el acceso y movilidad de las personas de todas las edades para que puedan caminar y andar en bicicleta de forma segura en nuestra comunidad. ¡Necesitamos su opinión para poder mejorar nuestra comunidad!



Taller Comunitario 1: En inglés con traducciones al español y hmong disponibles

Centro Multicultural de Artes de Merced

645 W Main St, Merced, CA 95340

Miércoles 29 de noviembre de 6:30-8:30PM

Taller Comunitario 2: En español con traducciones al inglés y hmong disponibles

Tenaya Middle School

760 W 8th St, Merced, CA 95341

Jueves 30 de noviembre de 6:30-8:30 PM



Organizado por la Ciudad de Merced.

Merced Active Transportation and SRTS Plan Public Workshops

Help make our streets work for everyone!

The Merced Active Transportation and Safe Routes to School Plan will address safety, access, and mobility for people of all ages to walk and bicycle safely in the community. We need your input to improve our community!



Workshop 1: English with Spanish and Hmong Translation Available

Merced Multi-Cultural Arts Center
645 W Main Street, Merced, CA 95340
Wednesday, November 29, 2017 6:30-8:30 PM

Workshop 2: Spanish with English and Hmong Translation Available

Tenaya Middle School
760 W 8th Street, Merced, CA 95341
Thursday, November 30, 2017 6:30-8:30 PM



Organized by the City of Merced

Name/Nombre	Organization/Organización	Email/Correo electrónico
Yuliana Gomez	PLTI / PIQE	yulianagomez282@yahoo.com
Blasa De Anda	NUBSM	N/A
Isabel Sanchez	NUBSM	
Claudia G. Corchado	Cultiva la Salud	Claudia@ontedwaymerced.org
Luz Mosqueda	PLTI / PIQE	
Chai Charles Moun	Healthy House	chaicmoun@gmail.com
Juan Manuel Haro	PLTI	haro.j.mccol@juno.com
Esperanza Elias G	PLTI / PIQE	Esperanza Elias 43@gmail.com
Alicia Sanchez		Alicia Sanchez 329@gmail.com
Sara Cortez		CortezSara1326@yahoo.com
Diana de la Torre		
Ronnie De Anda		
*DWE Hagan *		tsla69@gmail.com
MARIA VARGAS	NUBSM	M.Vargas1936@gmail.com



Merced Active Transportation & Safe Routes to School Plan Technical Advisory Committee Meeting

January 23, 2018 from 10:30 AM to 11:30 AM

Merced City Hall

Meeting Agenda

Item
1. Introductions
2. Review Recommendations
3. Feasibility Assessment
4. Funding Opportunities
5. Next Steps

TAC Meeting Sign-In Sheet

[illegible]



Merced Active Transportation & Safe Routes to School Plan Citizen Focus Group Meeting

January 23, 2018 from 1:30 PM to 2:30 PM

Merced City Hall

Meeting Agenda

Item
1. Introductions
2. Review Project Recommendations
a. Recent outreach/feedback
3. Review Program Recommendations
4. Next Steps

Merced Active Transportation Plan

CFG Meeting Sign-In Sheet

January 23, 2018
Merced City Hall

Name	Organization	Email
Juan Olmos	City of Merced	olmosj@cityofmerced.org
Ala G. Chelico	BHC member	Mark@bhc-merced.org
Ben Lichty	High-Speed Rail Authority	Ben.Lichty@hsr.ca.gov
Nicholas Salazar	Citizen	Vinceandnik@yahoo.com
Abigail Ramirez	Leadership Counsel for Justice & Accountability	aramirez@leadershipcounsel.org
Corinne Chavez	Citizen	CorinneChavez.DS@yahoo.com
Isai Palma	BHC Merced	isai@bhcmerced.org
Lisa Kayser-Grant	Merced Bicycle Coalition	Lkaysergrant@yahoo.com
Isai Salazar		
Cynthia Ratzlaff	Youth Council	cratzlaff705123@muhsdstudents.org

*

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* send presentation.



Merced Active Transportation & Safe Routes to School Plan January 23, 2018 Meeting Discussion Outcomes & Action Items

Technical Advisory Committee Meeting: 10:30-11:30AM

- Discussion of draft bicycle and pedestrian network recommendations:
 - Share draft recommendation maps with TAC members when available
 - Alta to revisit recommendations on the following corridors for feasibility and context-appropriate facilities:
 - M Street separated bikeway
 - Bear Creek Drive from railroad to 16th Street – consider neighborhood street alternatives and/or traffic calming
- Discussion of unit cost assumptions
 - Alta to provide revised memo to City outlining what is/is not included in cost assumptions

Citizen Focus Group Meeting: 1:30-2:30PM

- Discussion of revised bicycle and pedestrian network recommendations:
 - Desire for connectivity and continuity of planning between City, County, and University jurisdiction
 - Alta to revisit recommendations on the following corridors for feasibility and context-appropriate facilities:
 - Parsons Avenue
 - University Parkway bicycle path connection
 - 26th Street near Hoover Middle School
 - Class I path alignment through new housing development north of Bellevue
 - Concerns about bicycle facilities in the community not being constructed to meet minimum standards, i.e. a "shared-use path" that is not wide enough for comfortable bicycle use
 - Desire for a bicycle network that accommodates all skill levels and trip purposes, both higher-speed transportation bicyclists and slower more leisurely riders
 - Consider developing a high-level summary to call out the most innovative, separated facilities to showcase investments
 - Consider celebrating completion of this plan with a pilot project and/or presentation to decision-makers
 - Possible pilot project: M Street separated bikeway
- Discussion of programs recommendations:
 - Consider partnering with UC Merced and/or hiring a full-time position at the City to coordinate bicycle and pedestrian activities.



Merced Active Transportation & Safe Routes to School Plan Technical Advisory Committee and Citizen Focus Group Meeting

May 29, 2018, 1:00-3:00PM

Merced City Hall

Meeting Agenda

Item
1. Introductions
2. Presentation on Prioritized Projects and Programs
3. Comments from TAC and CFG members
4. Next Steps
5. Adjourn

Merced Active Transportation Plan

TAC/CFG Meeting Sign-In Sheet

Date: May 29, 2018
Merced City Hall

Name	Organization	Email
Sydney Loewen	Dept. of Public Health	Sloewen@co.merced.ca.us
Lisa Rayzer - Grant	Merced Bicycle Coalition	Lkaysergrant@yahoo.com
Ben Lichty	CA High-speed Rail Auth.	Ben.Lichty@hsr.ca.gov
Vince Evans	Merced Union High School Dist.	vlevans@muhsd.org
NATALIA AUSTIN	MERCED CO ASSUR. CNTS	natalia natalia.austin@mcaps.org
abigail Ramirez	LCJA	aramirez@leadershipcourse1.org
Claudia La Corchado	Cultura La Salud-BHC	Claudia@unitedwaymerced.org

RESOLUTION NO. 2019-_____

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA,
ADOPTING THE CITY OF MERCED ACTIVE
TRANSPORTATION AND SAFE-ROUTES-TO-
SCHOOL PLAN**

WHEREAS, the Active Transportation and Safe-Routes-to-School Plan is founded on the work of the City of Merced 2013 Bicycle Transportation Plan and that the ideals, data, research, information, and guidance from that document was incorporated into, drawn on, and directly influential in the process of creating the City of Merced Active Transportation and Safe-Routes-to-School Plan;

WHEREAS, the City of Merced expects an increase of active transportation users for both recreational and commuter purposes as the City population and the University of California Merced attendance increase over the coming years;

WHEREAS, active transportation improvements provide a variety of transportation, health, economic, environmental, and social benefits for all and planning for an expanded active transportation system benefits the entire community, enabling freedom of safe, low-stress transportation choice and reducing motor vehicle traffic;

WHEREAS, the City of Merced, recognizing the transportation, health, economic, environmental, and social benefits of active transportation, is intent on continuing its commitment to improving its infrastructure, including but not limited to sidewalks and bikeways;

WHEREAS, in accordance with the California Environmental Quality Act (CEQA), Staff recommended the adoption of a Statutory Exemption pursuant to Section 15262 of the CEQA Guidelines;

WHEREAS, the City of Merced Bicycle Advisory Commission held a public meeting on April 23, 2019, at which time the Commission provided feedback on a draft of the Active Transportation and Safe-Routes-to-School Plan and unanimously voted to recommend the plan to the City Council, along with any changes that might result from the Commission's feedback or additional public feedback;

WHEREAS, the City of Merced has continued to ensure the involvement of the public in the development of the Active Transportation and Safe-Routes-to-School Plan with public outreach, public meetings, and other efforts, most recently holding a joint meeting on May 22, 2019, of the Technical Advisory Committee and Citizen Focus Group to discuss an updated draft of the Active Transportation and Safe-Routes-to-School Plan and seek additional feedback; and,

WHEREAS, the City Council held a noticed public hearing on July 15, 2019, at which time all those interested in the matter were provided the opportunity to speak or to provide written or oral testimony regarding the City of Merced Active Transportation and Safe-Routes-to-School Plan.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCED DOES HEREBY RESOLVE, DETERMINE, FIND, AND ORDER AS FOLLOWS:

SECTION 1. The adoption of the Active Transportation and Safe-Routes-to-School Plan is statutorily exempt pursuant to Section 15262 of the CEQA Guidelines.

SECTION 2. Based upon the evidence and testimony in the record at the City Council public hearing, the City Council, exercising its independent judgment and review, hereby approves the Active Transportation and Safe-Routes-to-School Plan.

SECTION 3. By approving the Active Transportation and Safe-Routes-to-School Plan, the City Council directs the City Manager to assist in carrying out the intentions, goals, and guidelines presented in the Active Transportation and Safe-Routes-to-School Plan whenever possible and practical within the financial constraints and priorities of the City to further the quality of active transportation in the City of Merced.

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PASSED AND ADOPTED by the City Council of the City of Merced at a regular meeting held on the ____ day of _____ 2019, by the following vote:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

APPROVED:

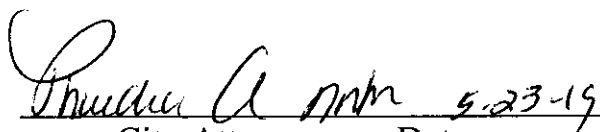
Mayor

ATTEST:
STEVE CARRIGAN, CITY CLERK

BY: _____
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:



City Attorney Date

NOTICE OF EXEMPTION

To: _____ Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

From: (Public Agency)
City of Merced
678 West 18th St.
Merced, CA 95340

 X County Clerk
County of Merced
2222 M Street
Merced, CA 95340

Project Title: Active Transportation and Safe-Routes-to-School Plan (Environmental Review #19-17)

Project Applicant: City of Merced

Project Location (Specific): City of Merced

Project Location - City: Merced

Project Location - County: Merced

Description of Nature, Purpose, and Beneficiaries of Project: The project involves the creation of an Active Transportation and Safe-Routes-to-School Plan for the City of Merced.

Name of Public Agency Approving Project: City of Merced

Name of Person or Agency Carrying Out Project: City of Merced

Exempt Status: (check one)

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State Type and Section Number:
- X Statutory Exemptions. State Code Number: Section 15262, Feasibility and Planning

Studies: _____
 General Rule (Sec. 15061 (b)(3))

Reasons why Project is Exempt: Pursuant to the California Environmental Quality Act (CEQA), Guidelines Section 15262 a project involving only feasibility or planning studies for possible future actions which the agency, board, or commission has not approved, adopted, or funded does not require the preparation of an EIR or Negative Declaration but does require consideration of environmental factors. No specific projects are being approved with the Plan.

Lead Agency: City of Merced

Contact Person: Michael Hren, Principal Planner **Area Code/Telephone:** (209) 385-6858

Signature: Michael Hren **Date:** 6/20/19 **Title:** Principal Planner

 X Signed by Lead Agency **Date Received for Filing at OPR:** _____
(If applicable)

Authority Cited: Sections 21083 and 21110. Public Resources Code
Reference: Sections 21108, 21152, and 21152.1. Public Resources Code



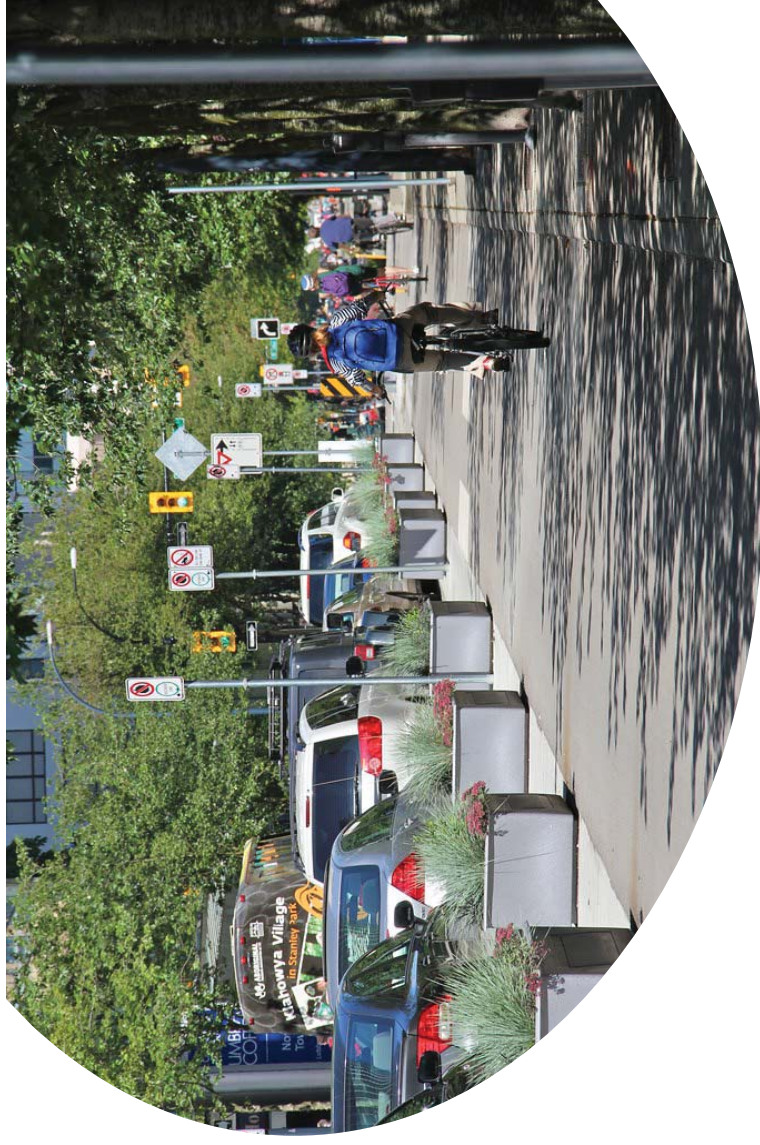
ACTIVE TRANSPORTATION AND SAFE-ROUTES- TO-SCHOOL PLAN

PUBLIC HEARING: JULY 15, 2019

WHAT IS THE ATP?

The City of Merced's Active Transportation and Safe-Routes-to-School Plan (ATP) outlines the goals for active transportation in Merced, and provides recommendations for how to make that vision into reality.

The ATP envisions a safe, enjoyable, and interconnected network of facilities serving residents and visitors alike, while allowing users of all modes of transportation equitable access to clean, well-maintained, and well-designed facilities.



ATP GOALS

The ATP has a number of goals, some of the most important are:

- Improve the safety and perceived safety of using active transportation in Merced
- Increase active transportation trips in Merced
- Improve the connectivity of the active transportation network in Merced
- Promote a data-driven approach to maintaining existing active transportation facilities and creating new ones in Merced

605



PLAN CONTENTS



SECTIONS

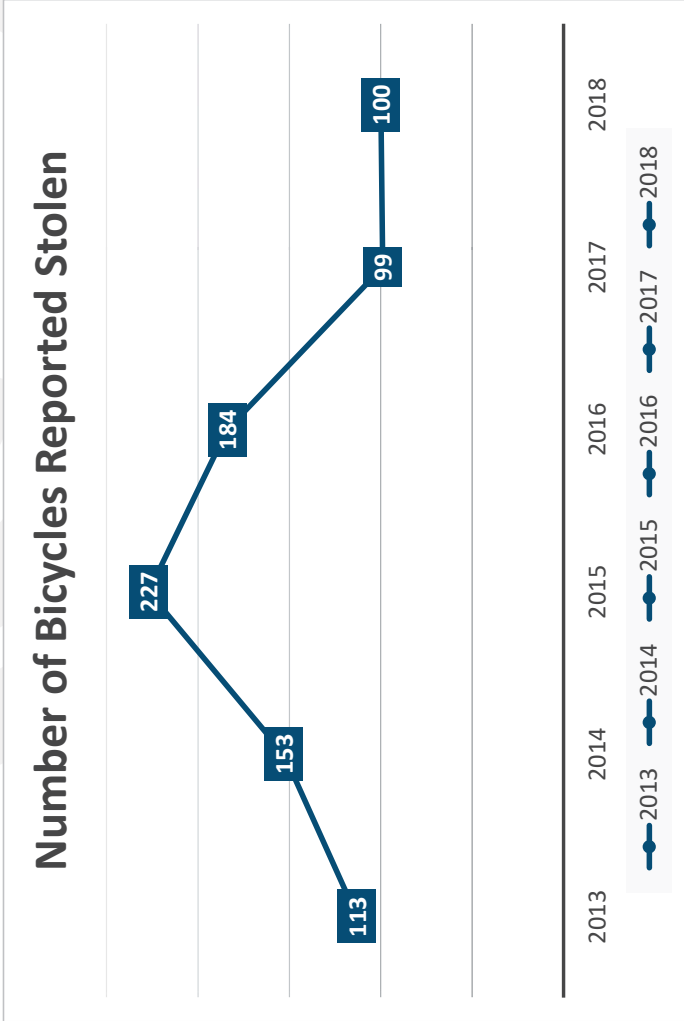
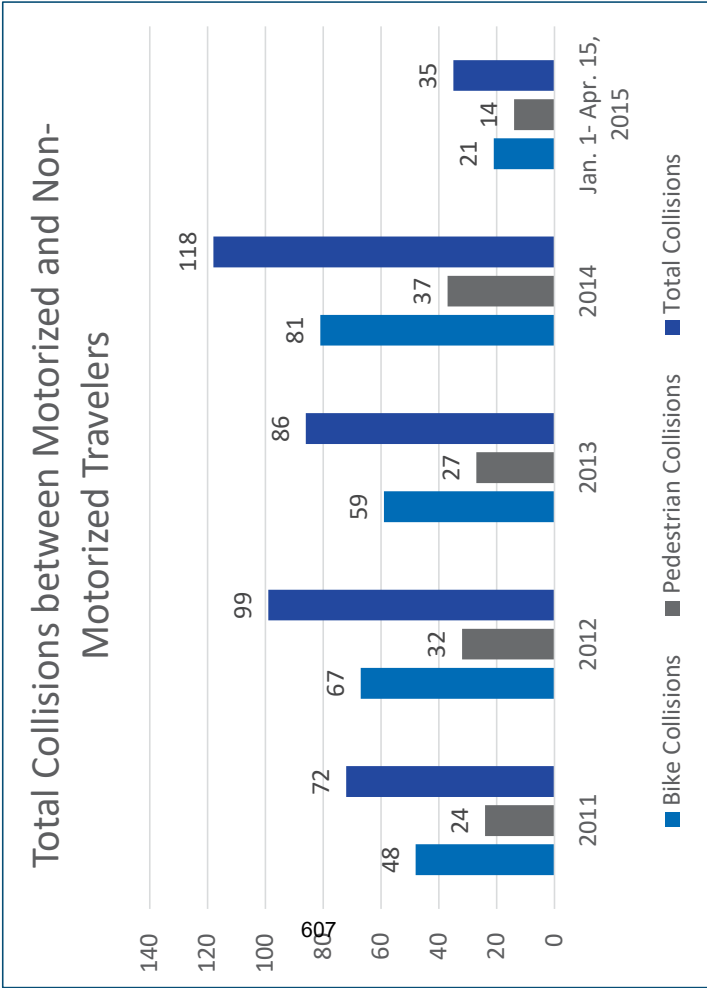
- Foundations
- Existing User Count
- Existing Facilities
- Hazards⁶⁰⁶
- Solutions
- Implementation
- Low-Cost Improvements
- Infrastructure Projects
- Programs
- Policies
- Public Participation



RECOMMENDATIONS

- Prioritized Lists of Bicycle and Pedestrian Infrastructure Projects
- Policy Adjustments
- Active Transportation Program Creation and Enhancement

HAZARDS



PROPOSED INFRASTRUCTURE PROJECT SUMMARIES



BICYCLE

- \$9.4 million for Class I off-street facilities
- \$4.7 million for on-street network
- 9.7 miles of bicycle boulevards
- 4.2 miles of separated bikeways

- \$1.3 million for appx. 7,500 linear feet of sidewalk construction
- \$6.5 million for projects including about 3 miles of pedestrian-scale lighting
- \$1.6 million of other improvements including 28 pedestrian spot improvements



PEDESTRIAN

SCHOOLS



- Each school should have an adequate amount of secure bicycle parking for students, faculty, and staff. Each school has a different enrollment area and various geographic and socio-economic conditions, so there can be no solution (i.e. number of and types of bicycle racks) that will fit every school.
- Proximity to schools was the highest-importance category in the prioritization of bicycle and pedestrian infrastructure projects.



A proposed project for Cycle 4 ATP funds intended to provide a safe east-west pedestrian corridor on the south side of Childs Avenue between Golden Valley High School and Weaver Middle School. The project did not receive an award; one major hurdle is the need for \$2 million to underground the canal on the south side of Childs Avenue.

The ATP recommends that the City continue to investigate funding options and alternative plans for the project.

PROPOSED PROGRAMS

<i>Type</i>	<i>Program</i>	<i>Lead Organization</i>	<i>Partners</i>
<i>Short-Term (Year One after Plan adoption)</i>			
<i>Education</i>	City Website	City	
	Motorist Education Program	City	
	Share the Road Campaign	City	
	Youth Organization Education	Youth organizations	City
	Bike to Work and School Day	Merced Bicycle Coalition	City
<i>Encouragement</i>	Group Rides	Merced Bicycle Coalition	
	Launch Party for New Bikeways	City	Merced Bicycle Coalition
	Speed Feedback Signs	Police Department	
<i>Evaluation</i>	Annual Crash Data Review	City Public Works/Planning	Police Department
	Annual Report Card	City	

<i>Type</i>	<i>Program</i>	<i>Lead Organization</i>	<i>Partners</i>
<i>Medium-Term (Years Two to Four after Plan adoption)</i>			
<i>Education</i>	Adult Bicycling Skills Classes	Merced Bicycle Coalition	City
	Bike/Ped. Assemblies	School Districts, MBC	City
	Bicycle Rodeos	School Districts	City
<i>Encouragement</i>	Evolve BAC	City	
	SRTS Program	City, MBC	Schools, Pub. Health
	Poster Contest	School Districts	City
<i>Long-Term (Year Five and beyond after Plan adoption)</i>			
<i>Education</i>	Bike Ticket Diversion Class	Police Department	City
<i>Encouragement</i>	Bike Helmet Giveaways	City	MBC
	Bike Light Giveaways	City	MBC
	Employer-Based Programs	City	Local employers
	Open Street Events	City	MBC, Police Dept.
	Safe Routes to Transit Program	City	
	Bicycle Friendly Community	City	
<i>Enforcement</i>	Targeted Police Enforcement	Police Department	City
<i>Evaluation</i>	Bike/Ped. Comm. Survey	City	

PROPOSED POLICIES AND POLICY CHANGES



BICYCLE PARKING

- Decouple bicycle parking requirements from automobile parking requirements.
- Install and promote use of effective bicycle racks that do not cause damage to wheels, nor ones that limit the type of bicycle that can be stored.



ENCOURAGING ACTIVE TRANSPORTATION

- Implement programs to attract new users.
- Bike subsidy program
- Discount programs
- Free secure bicycle parking
- Hosting open streets events
- Reconsider the ban on skateboarding in Merced's downtown.



INFRASTRUCTURE

- Update policy and design documents to include infrastructure types that are new to or underused in Merced. Consider these treatments when the City performs maintenance, reconfigures, or installs new infrastructure.
- Bike boxes
- Class IV separated bikeways
- Two-stage turn boxes
- Bicycle signals
- Curb extensions
- High visibility crosswalks
- Advanced stop lines
- Median refuge islands



STUDY SCOOTER/BIKE RENTAL NEEDS

- In 2018 alone, 84 million trips were taken on shared bikes and scooters in the United States, more than twice as many as in 2017.
- Create policy and guidance for how to regulate and enforce regulations on electric scooter/bicycle rentals before they become prominent in Merced.

CITY COUNCIL ACTION

The Bicycle Advisory Commission voted 4-0 at its April 23, 2019, meeting to endorse the ATP and recommend it to the City Council.

After the Public Hearing, the City Council may Approve/Disapprove/Modify:

- Environmental Review #19-17
- The City of Merced's Active Transportation and Safe-Routes-to-School Plan





ADMINISTRATIVE REPORT

Agenda Item I.2.

Meeting Date: 7/15/2019

Report Prepared by: Frank Quintero, Director of Economic Development

SUBJECT: Public Hearing and Consideration of the Adoption of Resolution to Authorize the Inclusion in the California Municipal Finance Authority Bond Opportunities for Land Development (BOLD) Program; Authorizes the California Municipal Finance Authority to Accept Applications from Property Owners, Conduct Proceedings and Levy Special Taxes Within the City of Merced Pursuant to the Mello-Roos Community Facilities Act of 1982, As Amended; and Other Related Actions

REPORT IN BRIEF

Following a Public Hearing, considers the adoption of a Resolution allowing properties within the territory of the City of Merced to participate in the California Municipal Finance Authority (CMFA) Bond Opportunities for Land Development (BOLD) program which provides long-term financing for certain development-related fees and infrastructure improvements.

RECOMMENDATION:

City Council - Adopt a Motion:

A. Approving **Resolution 2019-41**, a Resolution of the City Council of the City of Merced, authorizing use and inclusion in the California Municipal Financing Authorities Bond Opportunities for Land Development (BOLD) Program; Authorizing the California Municipal Finance Authority to accept applications from property owners, conduct proceedings and levy special taxes within the City of Merced pursuant to the Mello-Roos Community Facilities Act of 1982, as amended; and authorizing related actions; and,

B. Authorizing the City Manager or the Assistant City Manager to execute the necessary documents and take any and all actions necessary to carry out the intent of the resolution.

ALTERNATIVES

1. Approve as recommended by staff; or
2. Approve, subject to conditions as specified by the City Council; or
3. Deny the request; or,
4. Refer back to staff for reconsideration of specific items as requested by the Council; or
5. Defer action until a specified date

AUTHORITY

Charter of the City of Merced, Section 200

CITY COUNCIL PRIORITIES

City of Merced Adopted Budget Fiscal Year 2019-2020, Section 7 - Economic Development - Mission - Keep Merced as the Center: Implement strategic actions that will have the most direct impact on improving the City of Merced's economic growth and which continues to build Merced's role as the region's center for education, medical services, industry, and professional/commercial services.

DISCUSSION

The City of Merced desires to participate in the Bond Opportunities for Land Development (BOLD) Program, which is sponsored by the California Municipal Finance Authority (CMFA.) In order to join the Bond Opportunities for Land Development (BOLD), the City Council is required to hold a public hearing to take public testimony on CMFA and bonds to be issued by CMFA, and consideration of a resolution making certain findings and authorizing certain matters necessary to participate in BOLD (ATTACHMENT 1.)

Background

The City of Merced is a member of CMFA, a State-wide joint powers authority ("JPA") whose members are numerous public entities throughout California. The CMFA has the authority to issue bonds to meet its mission of supporting economic development, job creation and social programs throughout the State of California, while giving back to California communities.

BOLD Program Introductions: CMFA recognizes that new development often challenges the mission of municipalities to provide infrastructure and schools, since new development triggers the need to construct, acquire, or otherwise provide additional public facilities to accommodate that growth. The BOLD Program offers a means to finance new or continuing construction of infrastructure and public facilities through bonds the CMFA issues as an alternative to issuance of land-secured bonds directly by a public entity. The BOLD Program is designed to help local government municipalities, schools and land developers throughout the State work together to cost effectively finance public infrastructure projects and development fees.

Under the BOLD Program, bonds are issued by a community facilities district ("CFD") formed by the CMFA under the Mello-Roos Community Facilities Act of 1982 (California Government Code Section 53311 et seq.) (the "Act"). The Act offers great financing flexibility and is commonly used by cities, schools and other local agencies throughout the State to generate funds for the payment of public facilities, including development fees for facilities.

The Financing Team: The BOLD Program is handled by a team of bond industry professionals with significant experience in CFDs in the State. All have specialized expertise in CFD bond issuance and sales. In addition, if the City of Merced desires to use a municipal advisor of its own choosing to review the BOLD Program application and/or other program documents may do so, with all related costs payable from bond proceeds. Specifically, the BOLD Program utilizes Jones Hall for bond counsel, Goodwin Consulting Group for special tax consulting services, and Piper Jaffray for underwriting services.

Benefits of BOLD Program to Local Governments: Although the CFD would be formed within the City of Merced's jurisdiction, little involvement is required. The City Council is only required to take a

single action to approve participation in the BOLD Program and CMFA thereafter works with City staff to ensure the program is meeting any goals the City of Merced sets. The CMFA and its consultant team will form and approve each CFD, the CMFA will issue bonds on behalf of the CFD and use the services of a special tax consultant and administrator to create the special tax formula and administer, levy, collect the special taxes. By working directly with developers, the BOLD Program facilitates financing for infrastructure and fee obligations of developers, covering a broad range of development cost obligations necessary for new development imposed by municipalities, including both facilities and/or impact fees. Using the BOLD Program alleviates staff time constraints and allows staff to focus on other aspects of processing land development projects.

Bond proceeds are immediately available and may accomplish payment of impact fees in advance of the due date. According to the CMFA, The City of Merced will have the opportunity to access those revenues quickly and eliminate the risk of nonpayment by the developer. The BOLD Program also has the ability to include a municipal services component in the special tax, which the City of Merced may wish to consider at a future time.

Determining Special Tax Rate: Formation of the CFD requires the establishment of the annual special tax rates. The formula for computing special tax rates will be included in the resolutions to be adopted as part of the CFD formation proceedings. Typically, the formula will include a basic, undeveloped land tax with an increase in rate and shifting of the tax to developed lands at building permit stage. The total amount of taxes on developed land generally will not exceed 2% of its market value in its completed state, per industry standards.

Bond Issuance: Bonds are issued through the CMFA, with little involvement from local agencies needed for the issuance process. The City of Merced will need to approve the use of a CFD to acquire public facilities and the financing thereof, and enter into an acquisition or similar agreement to receive the bond proceeds, and to meet the general requirements to maintain the tax exemption of interest on the bonds. The CMFA adopts the resolutions needed to authorize and issue the special tax bonds and awards the sale to the bond underwriter.

Use of Bond Proceeds: Once the bond issuance occurs, bond proceeds are available to be disbursed. The proceeds are held by a bond trustee and are not directly paid to the developer but are available as directed by the developer and approved by the local agency, to be used to meet obligations to the City of Merced according to the structure and timing required for development approvals. Pursuant to an acquisition agreement or similar document, the City of Merced will determine and agree to its role in inspecting and accepting infrastructure and/or payment of financed impact fees.

Underwriting for Bond Issuance: The CFD may be formed early in the development process, with issuance of bonds at a later time or in multiple series. The following are the typical criteria for bond issuance.

- Minimum 4:1 value-to-debt ratio overlapping (assessed or appraised)
- No discretionary approvals required for build-out of the portion of the CFD directly relating to the bond security
- Entitlements received that are necessary for phase to be bonded

- Financing plan for backbone infrastructure complete or imminent and/or performance bond in place

Credit criteria will be reviewed by the underwriting team on a case-by-case basis to assure reasonable interest rates at the time of issuance. Additionally, similar credits can be pooled together into a single bond issue with pooling flexibility assuring the most cost-effective bond issuance for each project.

Administration of the Bonds and the CFD: Administration of all aspects of the BOLD Program is handled by the CMFA, without cost to or burden on the City of Merced. Federal regulations require annual disclosures to bond investors of information related to the bonds and the development project. BOLD Program administrators will handle this continuing disclosure reporting in consultation with developers.

Lower Fees than other Programs and Financings: The CMFA strives to maintain a fee structure that is lower than other JPA conduit issuers. The CMFA has indicated that its underwriting fees will range between 0.95% and 1.25%, although such estimates are subject to change.

Giving Back to Local Communities: The CMFA shares a portion of its issuance fees directly with its member communities. In addition, a grant from a portion of the issuance fee is made to the California Foundation for Stronger Communities ("CFSC") to fund charities designated by the member communities. A portion of the annual fees received by the CMFA are in turn directed to charitable activities within California communities, particularly those of members and participating local government agencies. This unique commitment to give back directly to the communities in which they operate sets CMFA apart from other JPA conduit issuers.

Information for Bond Marketing: Tax-exempt municipal bonds are sold through an offering document known as an Official Statement, which describes to potential purchasers of the bonds the terms, security and repayment of the bonds and details about the property securing the bonds. Since, prior to home sales, the land is owned by the developer entity(ies), relevant information for the Official Statement needs to describe the developer and the development plan. The financing team will work with the developer to provide the required information and approve the final language to be provided to prospective bond buyers.

Disclosure of Special Tax to Home Buyers: California law requires developers to disclose to home buyers the lien of any CFD special tax which will be present on the purchased property. The form of disclosure is simple and becomes part of the various sale documents presented to buyers for signature prior to a home sale.

Other Considerations

The BOLD program is a cost-effective and relevant form of land secured financing, and the more cost effective a bond financing is, the greater overall public benefit there is, as more bond proceeds are available for the acquisition of public infrastructure, and the end property owner is able to take advantage of the benefit of long term financing of certain elements.

The development community has expressed a desire for the City of Merced to adopt and implement the BOLD Program and it is an offering of CMFA that the City, as a member of CMFA is entitled to use.

It is recommended that the City Council hold a public hearing on the BOLD Program and adopt a resolution authorizing the BOLD Program within the Merced City Limits.

IMPACT ON CITY RESOURCES

Participating in the in the BOLD program does not require an appropriation of funds from the City. All of the costs and expenses related to the formation, issuance of bonds and ongoing administration for any CFD formed by the BOLD program is the responsibility of CMFA and there is no liability or fiscal impact on the local agency.

ATTACHMENTS

1. BOLD Program Resolution
2. BOLD Program Information

RESOLUTION NO. 2019-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MERCED, CALIFORNIA, AUTHORIZING USE OF THE BOND OPPORTUNITIES FOR LAND DEVELOPMENT (BOLD) PROGRAM; AUTHORIZING THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY TO ACCEPT APPLICATIONS FROM PROPERTY OWNERS, CONDUCT PROCEEDINGS AND LEVY SPECIAL TAXES WITHIN THE CITY OF MERCED PURSUANT TO THE MELLO-ROOS COMMUNITY FACILITIES ACT OF 1982, AS AMENDED; AND AUTHORIZING RELATED ACTIONS

WHEREAS, the California Municipal Finance Authority (the “CMFA”) is a joint exercise of powers authority the members of which include numerous cities, counties and other local agencies in the State of California (the “State”);

WHEREAS, the CMFA provides financing services to its members and the City of Merced (the “City”) is a member of CMFA;

WHEREAS, the CMFA has established the Bond Opportunities for Land Development Program (the “BOLD Program”) to allow the financing through the levy of special taxes under the Mello-Roos Community Facilities Act of 1982, as amended (the “Act”) of certain public facilities and development impact fees that finance public facilities (together, the “Improvements”) to be owned by local agencies in the State;

WHEREAS, the BOLD Program creates an opportunity for new developments to utilize Mello-Roos financing of Improvements for construction and/or acquisition by the City without the necessity of the City creating and administering the community facilities district;

WHEREAS, the City desires to allow the owners of property being developed within its jurisdiction (“Participating Developers”) to participate in the BOLD Program and to allow the CFMA to conduct proceedings under the Act to form community facilities districts (“CFDs”) under the Act, to levy special taxes within such CFDs, and to issue bonds secured by such special taxes under the Act to finance Improvements, provided that such Participating Developers voluntarily agree to participate and consent to the levy of such special taxes and the issuance of such bonds;

WHEREAS, property owners within the jurisdiction of the City may in the future elect to be Participating Developers, and the CMFA may conduct proceedings under the Act to form a CFD, levy special taxes within such CFD and issue bonds secured by such special taxes to finance Improvements;

WHEREAS, the City will not be responsible for the conduct of any proceedings under the Act for the formation of any CFD; the levy or collection of special taxes for any CFD or any required remedial action in the case of delinquencies in any special tax payments; or the issuance, sale or administration of any bonds issued in connection with the BOLD Program; and,

WHEREAS, pursuant to Government Code Section 6586.5, notice was published at least five days prior to the adoption of this resolution at a public hearing, which was duly conducted by this City Council concerning the significant public benefits of the BOLD Program and the financing of the Improvements.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCED DOES HEREBY RESOLVE, DETERMINE, FIND, AND ORDER AS FOLLOWS:

SECTION 1. The use of the BOLD Program in connection with the financing of Improvements is hereby authorized and approved. The appropriate officials and staff are hereby authorized and directed to allow BOLD Program participation to be available to property owners who are subject to the payment of fees for new development and/or who are conditioned to install public improvements in connection with new development.

SECTION 2. The City Council hereby finds and declares that the issuance of bonds by the CMFA in connection with the BOLD Program will provide significant public benefits, including without limitation, savings in effective interest rate, bond preparation, bond underwriting and bond issuance costs and the more efficient delivery of local agency services to residential and commercial development within the City.

SECTION 3. In connection with the issuance of bonds for the BOLD Program by the CFMA for projects in the City, an acquisition agreement, joint community facilities agreements or similar agreement will be required to be entered into, and the City Manager, Finance Director or the designee of either of them (each, an "Authorized Officer") is hereby delegated authority to enter into

such acquisition agreement, joint community facilities agreements or similar agreement for and on behalf of the City.

SECTION 4. The Authorized Officers and other appropriate City staff are hereby authorized and directed to allow and approve BOLD Program participation available to all property owners who are subject to the payment of fees for new development and/or who are conditioned to install public improvements in connection with new development, and to advise such owners requesting participation in BOLD that the City has approved the BOLD Program; provided, that the CMFA shall be responsible for providing applications and processing of documentation and related materials at its own expense.

SECTION 5. This Resolution shall take effect immediately upon its adoption. The City Clerk is hereby authorized and directed to transmit a certified copy of this resolution to the Secretary of the CMFA.

PASSED AND ADOPTED by the City Council of the City of Merced at a regular meeting held on the ____ day of _____ 2019, by the following vote:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

APPROVED:

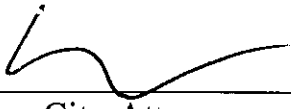
Mayor

ATTEST:
STEVE CARRIGAN, CITY CLERK

BY: _____
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:

 7/2/19

Dep. City Attorney Date



CMFA BOLD Program Information

Municipal Bond Financing for New Infrastructure

The Bond Opportunities for Land Development (“BOLD”) program (sometimes referred to herein as the “Program”) is offered by the California Municipal Finance Authority (“CMFA”) and designed to help municipalities and schools throughout the State work together with land developers to cost-effectively finance public infrastructure projects and development fees through bonds issued by a community facilities district (“CFD”) formed by the CMFA under the Mello-Roos Community Facilities Act of 1982 (California Government Code Section 53311 et seq.). Administration of the Program, bond offerings, and related CFD formation and ongoing administrative responsibilities are managed by the CMFA, without cost or burden upon the municipality or developer.

The BOLD Program has been developed to provide economic development financing opportunities to CMFA members throughout California. The program facilitates a solution to what local agencies understand – the availability of bond proceeds to finance public infrastructure is a key part of providing the much needed new housing development in California.

California Municipal Financing Authority (CMFA)

Who is CMFA? The CMFA is a State-wide joint powers authority (“JPA”) whose members are numerous public entities throughout California. The CMFA has the authority to issue bonds to meet its mission of supporting economic development, job creation and social programs throughout the State of California while giving back to California communities. By supporting member communities and their local charities with a portion of the revenue generated through the issuance of taxable and tax-exempt bonds for public, private and non-profit entities, the CMFA is able to directly contribute to the health and welfare of the residents of California. The CMFA offers a means to finance new or continuing construction of infrastructure and public facilities through bonds it issues as an alternative to issuance of bonds directly by a public entity.

Facilitating Development. The CMFA recognizes that new residential development often challenges the mission of municipalities to provide infrastructure and schools, since new development triggers the need to construct, acquire, or otherwise provide additional public facilities to accommodate that growth. By working directly with developers, the BOLD program facilitates financing for infrastructure and fee obligations of developers, particularly obligations related to impact fees imposed under California law, and including fees related to schools and mitigation agreements.

Giving Back to Communities. The CMFA strives to maintain a fee structure that is lower than other JPA conduit issuers. In addition to lower borrowing and administration costs, the CMFA shares a portion of all issuance fees directly with its member communities. In addition, a grant from a portion of the issuance fee is made to the California Foundation for Stronger Communities (“CFSC”) to fund charities designated by the member communities. A portion of the annual fees received by the CMFA will also be directed to charitable activities within California communities. This unique commitment to “give back” directly to the communities in which we operate sets CMFA apart from other JPA conduit issuers operating in the State.

Program Overview

Community Facilities District Financing. The Program utilizes the Mello-Roos Community Facilities Act of 1982 (California Government Code Section 53311 et seq.) to raise revenues for the capital improvement needs of participating local agencies. The Act offers financing flexibility commonly used by cities, schools and other local agencies throughout the State to generate funds for the payment of public facilities, including development fees for facilities.

Benefitting Local Public Entities. Little involvement of the local agency is required and these entities will quickly recognize the convenience of joining the CMFA to facilitate use of the Program. Once that simple step is taken, the rest is left up to the participating developer and the CMFA BOLD Program’s financing team – the CMFA forms the CFD, issues the bonds and takes care of ongoing CFD administration – leaving time for the staff of the participating public entity to focus on their core public services. Bond proceeds are immediately available to the participating local agencies for facilities, in most cases far in advance of the due date of fees and obligations otherwise payable as development progresses; the municipality has the opportunity to sooner access those revenues quickly and eliminate the risk of nonpayment by the developer. An additional highlight for the local agencies involved is that the program utilizes the services of special tax administrators to create the special tax formula and levy and collect the special taxes, without interfering with, or limiting, a local agency’s general obligation bond (GO Bond) debt program.

Developer Benefits. The Program offers developers the opportunity to finance public infrastructure and related impact fees for municipalities and school districts through the favorable interest rates associated with tax-exempt bonds. Repayment of the bonds is in the form of special taxes payable by home buyers or other end users, levied under the special taxing authority provided by a CFD, a typical financing method for new home developments in California.

Financing flexibility is key to developers, both as to timing, fees and facilities financed, costs of financing infrastructure and ease of moving forward. The Program offers unique advantages targeted to meeting those needs, including the following:

- **CFD Now, Bonds Later** – the ability to form a CFD well in advance of the time actual bond proceeds are needed, allowing the financing mechanism and known tax rates to be in place early in the planning of development
- **Changes to Development Plans** – a legal process is available to alter tax formulas and amounts after CFD formation upon consent of the developer/owner
- **No Restrictive Benefit Analysis** – with a CFD structure, strict benefit findings are not required, special tax rates are customized to meet local and industry norms
- **Fees and Facilities of Multiple Jurisdictions-** using Joint Community Facilities Agreements, fees and facilities of cities, school districts and other local entities can be financed by a single CFD
- **Flexibility** – The program is supported by an experienced financing team with broad CFD experience and financings are structured to allow maximum flexibility and up to date acceptance standards of the investor community.
- **No Restrictive Deadlines** – Formation of the CFD and attachment of the tax lien can occur on a rolling basis at any time, no need to wait for pool participants or meet application deadlines
- **Work With Local Jurisdictions** – The CMFA’s BOLD Program will consult with the local jurisdiction to accommodate concerns and provide cooperative relationships
- **Post-Issuance Ease** – CFD Administration and Continuing Disclosure are handled by the CMFA BOLD Program.
- **Cost-Effectiveness** – Program volume allows lower formation and issuance costs, with costs advanced reimbursed by bond proceeds

Financing Team. The Program is facilitated through bond industry professionals highly specialized expertise in CFD bond issuance and sales and consistently ranked among the top municipal bond firms in California. Any local agency that desires to use its own financial advisor to review the BOLD Program application and/or other program documents may do so, with all related costs payable from bond proceeds.

Developer Application. The first step in the process of issuing bonds through the Program is for the developer to submit an application describing the project to be financed and particulars about the property to be subject to the special tax securing the bonds. The form of developer application can be accessed here: [Developer Application](#) .

Public Entity Joining CMFA. Joining the CMFA is easy and comes with absolutely no monetary obligation or potential legal liability. The local agency can join the CMFA by simply adopting a resolution approving the Joint Powers Agreement. The CMFA can provide the form of resolution to the local agency.

Bond Issuance. Bonds are issued through the CMFA, with no involvement of the local agency needed, other than becoming a member of CMFA, approve the project and financing thereof and entering into a simple agreement to receive the bond proceeds and meet the general requirements

to maintain the tax exemption of interest on the bonds. The CMFA adopts the resolutions needed to authorize and issue the special tax bonds and awards their sale to the bond underwriter. The CMFA fully researches the project and the financing team drafts the bond documentation and the marketing materials associated with the bond offering.

Bond Pooling. The CMFA has the ability to create bond issuances representing a single pool of various CFD bonds secured by property in various areas throughout the State. This facilitates small development projects needing an amount of bonds not large enough to attract public bond investors, providing cost-effective bond financing to a segment of the development community often without access to bonds. Alternatively, larger projects with larger bond needs may participate in bond financing on a stand-alone or pooled basis.

Administration of the Bonds and the CFD. The BOLD Program is offered and managed by the CMFA by utilizing the services of independent experienced industry professionals for CFD and bond documentation, credit review and ongoing administration, so participating local agencies have minimal commitments.

Developer Reimbursement. Upon issuance of the bonds, with the approval of the benefiting local agency, proceeds are a funding source for direct payment of impact or mitigation fees or to otherwise reimburse developer costs for public facilities associated with new development. The Program has the flexibility to accommodate the timing and needs of developers related to most financial obligations to cities and school districts which are typically a part of a new home development and likewise it has the flexibility to involve the local agency to its level of desire to be involved.

Developer Responsibilities

Developer Application. The first step in the process of issuing bonds through the Program is for the developer to submit a brief application describing the project to be financed and particulars about the property to be subject to the special tax securing the bonds. The financing team will contact the developer for more detailed credit information as needed as part of the project due diligence process and will work with the local agency where the project is located as well as the developer to determine the timing and applicability of CFD bonds for the development project.

Determining Special Tax Rate. Formation of the CFD requires the establishment of the annual special tax rates. The formula for computing the special tax should be realistically determined as early as possible to provide enough money to pay bond debt service and the recurring administrative costs of the bonds each year. The formula will be included in the formation resolutions to be adopted as part of the proceedings. Typical considerations for the formula are provisions for a basic, undeveloped land tax with an increase and shifting of the tax to developed lands (usually at building permit stage). The total amount of total taxes on developed land generally will not exceed 2% of its market value in its completed state. The developer will work with Program consultants to formulate an appropriate special tax formula.

Information for Bond Marketing. Tax-exempt municipal bonds are sold through an offering document known as an Official Statement, which describes to potential purchasers of the bonds

the terms, security and repayment of the bonds and details about the property securing the bonds. Since prior to home sales the land is owned by the developer entity, relevant information for the Official Statement needs to describe the developer and the development plan, as provided by the developer. The financing team will work with the developer to provide the required information and approve the final language and information to be provided to prospective bond buyers.

Disclosure of Special Tax to Home Buyers. California law requires developers to disclose to home buyers the lien of any CFD special tax which will be present on the purchased property. The form of disclosure is simple and becomes part of the various sale documents presented to buyers for signature prior to a home sale.

Use of Bond Proceeds. Once the bond issuance occurs, bond proceeds are available to be disbursed. The proceeds are held by a bond trustee and are not directly paid to the developer but are available as directed by the developer, to be used to meet obligations to local government agencies according to the structure and timing required for development approvals.

Underwriting for Bond Issuance

The CFD may be formed early in the development process, with the issuance of bonds at a later time and/or in multiple series. When it's time for bonds, the BOLD program is user-friendly and in conforming to credit conditions which are generally acceptable to the municipal bond market at the time of each bond issuance. The following are the typical basic criteria for bond issuance.

- Minimum 4:1 value-to-debt ratio overlapping (assessed or appraised)
- No discretionary approvals required for build-out of the portion of the CFD directly relating to the bond security.
- Entitlements received that are necessary for phase to be bonded
- Financing plan for backbone infrastructure complete or imminent and/or performance bond in place

Credit criteria will need to be reviewed by the underwriting team on a case by case basis to assure reasonable interest rates and municipal bond market acceptance at the time of issuance. Similar credits can be pooled together into a single bond issue with pooling flexibility assuring the most cost-effective bond issuance for each project.

As part of the bond issuance process, the BOLD program will ask each project to provide certain due diligence information that will elaborate on, update or confirm some of the information provided in the initial Program application, allowing the Program managers to fully evaluate the credit of the proposed project. Continuing disclosure per SEC requirements can be handled by the CFD administrator in consultation with developers, as needed.

Program Costs

Cost of participation in the Program is typical of industry standards. No deposit is required at the time of application. Upon approval of the application, a deposit will be required to cover costs of

formation, primarily fees of the special tax consultant and legal counsel. The deposit will typically be sufficient for completion of CFD formation, subject to the local jurisdiction requesting fees for consultants it may wish to utilize to approve participation in the Program. Costs for the issuance and sale of municipal bond issuances typically include legal, underwriting, trustee and issuer fees, with those and advanced costs of CFD formation paid from bond proceeds, so the public entity and the developer are not responsible for payment of Program costs to the extent bond proceeds are available.

Costs to issue bonds through the Program are competitive and are typically payable at the time of closing of the bonds, although in some cases the developer may need to provide initial funding of certain costs, which will be reimbursed at the time bonds are issued. Bond-financed costs can include fees of the developer's own legal and development consultants related to the CFD, offering another benefit for cash flow associated with a development project. As is typical with CFD bonds, a bond reserve fund will be necessary, which can also be funded from bond proceeds.

Developer Application

To get started, the first step in the process for issuing bonds for the program is for the developer to [submit an application](#) describing the project to be financed and particulars about the property to be subject to the special tax securing the bonds.

For More Information, contact:

Ralph Holmes

Managing Director,

Public Finance

Piper Jaffray & Co

50 California Street, Suite 3100

San Francisco, California 94111

Tel: 415-616-1720

Email: Ralph.J.Holmes@pjc.com



ADMINISTRATIVE REPORT

Agenda Item J.1.

Meeting Date: 7/15/2019

Report Prepared by: Jennifer Arellano, Recreation Supervisor, Parks and Recreation

SUBJECT: Adopt a Motion Selecting the North Merced Park Location, Amenities and Layout and Authorizing the Submission of a Proposition 68 Statewide Park Program Grant Round 3 Grant Application for an Amount Not to Exceed \$8.5 Million Dollars (\$8,500,000)

REPORT IN BRIEF

Considers granting authority for submittal of a grant application for funding of a new park in North Merced and adopting a motion selecting the location, amenities, and layout of the park for an amount not to exceed \$8.5 Million (\$8,500,000).

RECOMMENDATION

City Council - Adopt a motion selecting the North Merced park location, amenities and layout and authorizing the Parks and Recreation Department to submit the Proposition 68 Statewide Park Program Round 3 grant application for an amount not to exceed \$8.5 million dollars (\$8,500,000).

ALTERNATIVES

1. Approve, as recommended by staff; or,
2. Deny; or,
3. Refer to staff for reconsideration of specific items; or,
4. Continue to a future meeting (date and time to be specified in the motion).

DISCUSSION

On June 5, 2018, California voters passed a \$4.1 billion bond measure to fund state and local parks, environmental projects, water infrastructure projects and flood protection projects throughout California. There are several funding streams resulting out of this bond measure, three of which the City of Merced is eligible for, or anticipates being eligible to apply for:

Statewide Park Program-Round 3: \$254,942,000 to be awarded

This competitive program will create new parks and new recreation opportunities in underserved communities across California.

Per Capita Program: \$185,000,000 to be awarded

Funds are available for local park rehabilitation, creation, and improvement grants to local governments on a per capita basis. Grant recipients are encouraged to utilize awards to rehabilitate existing infrastructure and to address deficiencies in neighborhoods lacking access to the outdoors.

Recreational Infrastructure Revenue Enhancement: \$37,000,000 to be awarded

Upon approval from the Legislature, funds will be made available aimed at improving and enhancing local or regional park infrastructure. Grants will be awarded proportionally based on populations served, and a grant recipient shall receive at least \$250,000 for the purposes of the revenue enhancement measure.

Regional Parks Program: Likely not eligible unless partnering with the County

Rural Recreation and Tourism Program: Likely not eligible

Community Access Program (CAP): Program on hold

The Statewide Park Program-Round 3 is the first one the City will be applying for, as the others have not had final guidelines and deadlines released yet. After attending several informational and technical assistance workshops and webinars, staff has concluded that for this grant round, according to grant guidelines, the funder's census tool, and history of recent spending in Parks improvements, the most underserved area in Merced, and therefore the most competitive application, will be in the North Merced Bellevue Ranch subdivision. Although the median household income is high, there are currently zero to less than three acres of existing parkland per 1,000 residents in this community, which designates the area as critically underserved.

Staff chose three sites in the area that fell within grant guidelines and held 6 community meetings between July 2- July 12 to inform the community of the opportunity and receive their feedback on park selection as well as park design. Potential park sites are:

1. Charles Ogletree Site - 250 Mandeville Ln (at Hutchinson Ln)
2. Fahrens Creek Site - 4325 Freemark Ave (at Heitz Way)
3. Lester K. Yoshida Site - 4355 Bixby Way (at Revelle Dr)

Each community meeting was structured as a design workshop in order to receive very particular feedback from those attending. Meetings opened with allowing residents to vote on their first, second, and third choice for which park was selected. Then, each person was asked to choose the top amenities they would like to see at each site, and asked to fill out a survey. Afterwards there was an activity and discussion about exactly which location inside the park they would like to see those amenities. The last part of the discussion was about desired features to enhance safe public use and park beautification. This information will be summarized and included in a presentation for Council's consideration.

Staff are seeking direction from the City Council on which park to select for the grant application, the amenities to include and the layout of the proposed park. Pending Council direction, staff will complete the grant application and obtain the necessary letters of support in partnership with Townsend Public Affairs in time to meet the August 5, 2019 deadline.

IMPACT ON CITY RESOURCES

None.

ATTACHMENTS

1. Proposition 68 Info Sheet
2. Proposition 68 Community Meeting Flyer
3. Park Sites
4. Parks Survey



California Department of Parks and Recreation Office of Grants and Local Services **Proposition 68 Grants**

- The Competitive Review Team provides assistance with competitive applications for the grant programs listed below.
- The Grant Administration Team provides assistance with non-competitive grants, such as the Per Capita Block Grant program.
See page 2 for more information.



COMPETITIVE PROGRAMS (PROP. 68)

Statewide Park Program (\$650 Million) parks.ca.gov/spp

This program will fund acquisition and construction projects for new parks and new recreation opportunities in critically underserved communities. This program's legacy started in Prop 84 (2006 Bond Act) with 900 applications requesting \$2.9 billion.

- The Application Due Date is August 5, 2019 for the upcoming \$254.9 Million cycle.

Regional Park Program (\$23 Million) parks.ca.gov/rpp

This program will fund acquisition and construction projects to create, expand, or improve regional parks. Draft guidelines will be posted for comment soon.

Rural Recreation and Tourism Program (\$23 Million) parks.ca.gov/rtr

This program will create new recreation opportunities in support of economic and health-related goals in rural communities. (The definition of rural is subject to a comment period – grant guidelines will be available for comment soon).

COMPETITIVE PROGRAMS (FEDERAL FUNDING)

Land and Water Conservation Fund (est. \$6 million for competitive funds annually)

www.parks.ca.gov/lwcf This program will fund acquisition or construction projects to create new outdoor recreation opportunities. An application request for proposals may occur in 2020.

Recreational Trails Program - Non Motorized Trails (est. \$1.7 million annually).

This program will fund construction of new trails, trail expansions, trail renovations, and trail side amenities. parks.ca.gov/rtp An application request for proposals may occur in 2020.

NON-COMPETITIVE PROGRAMS

The “Grant Administration” Project Officer is your contact for the two non-competitive Prop. 68 grant programs listed below, and for the administration of active grant projects.

Per Capita (\$185 Million) parks.ca.gov/percapita

Program provides a minimum of \$200,000 to cities and local districts, and \$400,000 to counties and regional districts in discretionary recreational infrastructure funding. Projects that do not serve a severely disadvantaged community have a 20% match. Draft guidelines are posted for review.

Recreational Infrastructure Revenue Enhancement (\$37 Million)

This program provides funds to local public entities that passed a revenue enhancement measure for the purpose of creating or enhancing recreational infrastructure between November 1, 2012 and November 30, 2018. Funds are awarded proportionally based on populations served, with each qualifying jurisdiction receiving at least \$250,000. Funds must be spent on recreational infrastructure. Draft guidelines may be posted later this year.

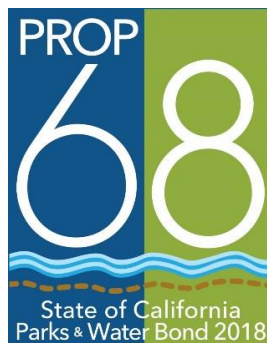
OFFICE OF GRANTS AND LOCAL SERVICES (OGALS)

Since 1965, statewide grants administered by OGALS created and improved over 7,400 parks. We look forward to continuing this legacy with grantees to improve the quality of life for communities throughout California.

MAIN LINE: (916) 653-7423

OGALS WEBSITE: parks.ca.gov/grants

CONTACTS BY COUNTY: Use the “Contact Us” link at parks.ca.gov/grants to access a list of “Project Officers by County.”





1. Charles Ogletree site – 250 Mandeville Ln (at Hutchinson Ln)
2. Fahrens Creek site – 4325 Freemark Ave (at Heitz Way)
3. Lester K. Yoshida site – 4355 Bixby Way (at Revelle Dr)

AND DESIGN THE PARK, TOO!

The City of Merced is applying for a Proposition 68 grant to create a new park in North Merced. We need your help in selecting the park site. Come to one of the community meetings and share your thoughts on which site is the best. While you're there, tell us, what kind of features would you like to see in your park? We need to hear from YOU. It's your park, so help select it and help design it. That's what these meetings are all about.



**Parks
Make
Life
Better!**

COMMUNITY MEETINGS

July 2, Tues., 10 am,
Yoshida Site

July 8, Mon., 6 pm,
Ogletree Site

July 9, Tues., 6 pm,
Fahrens Creek Site

July 10, Weds., 6 pm,
Yoshida Site

July 11, Thurs., 6 pm,
Youth Council meeting,
Civic Center, 678 W 18th

July 12, Fri., 7 pm, Movies
in the Park, El Cap High,
100 Farmland

July 15, Mon., 6 pm, City
Council meeting, grant
approval, Civic Center,
678 W 18th St.

CITY OF MERCED PARKS AND COMMUNITY SERVICES

632 W. 18th St.
Merced Ca 95340

Jennifer Arellano

209-385-6854

arellanoj@cityofmerced.org

Proposition 68 Grant- \$200,000- \$8,500,000 Per Request

This competitive program will create new parks and new recreation opportunities in critically underserved communities across California. Due: August 5, 2019

CRITICALLY UNDERSERVED COMMUNITY – an area within PROXIMITY of a PROJECT SITE that has a ratio of less than 3 acres of PARK SPACE per 1,000 residents, or a median household income below \$51,026 based on the response to Project Selection Criteria 1 or 2.

TYPES OF PROJECTS A PROJECT must involve either DEVELOPMENT or a combination of ACQUISITION and DEVELOPMENT to: 1. Create a NEW PARK, or 2. EXPAND an EXISTING PARK, or 3. RENOVATE an EXISTING PARK

All PROJECTS must create or RENOVATE at least one RECREATION FEATURE. Examples of RECREATION FEATURES include but are not limited to the following:

☐ ACQUISITION of land:

☐ Combined with DEVELOPMENT of a NEW RECREATION FEATURE.

OR

☐ Already has a RECREATION FEATURE for public use at close of escrow.

☐ Aquatic center, swimming pool, splash pad, fishing pier or paddling launch site

☐ Amphitheater/performing arts dance, music, and theater stage

☐ Athletic fields (soccer regulation or “futbol-rapido”, baseball, softball, football, etc.)

☐ Athletic courts (basketball, “futsal”, tennis, pickleball, etc.)

☐ Community gardens, botanical or demonstration gardens and orchards

☐ Community/Recreation center (only if it will be in or ADJACENT to a PARK)

☐ Dog park

☐ Jogging and walking loop, par course, running track, walking labyrinth

☐ Non-motorized trail, pedestrian/bicycle bridge, greenbelt/linear PARK

☐ Outdoor gym exercise equipment (stations fixed into ground)

☐ Open space and natural area for public recreation use

☐ Picnic/Bar-B-Que areas

☐ Playground and tot lot

☐ Plaza, Zocalo, Gazebo

☐ Public art (mosaic tiles, sculptures, murals)

☐ Skate park, skating rink, and BMX or pump track (non-motorized bike tracks)

☐ Lighting to allow for extended night time use of a RECREATION FEATURE

☐ Shade structure/COVERED PARK areas over a RECREATION FEATURE to allow for extended day time use

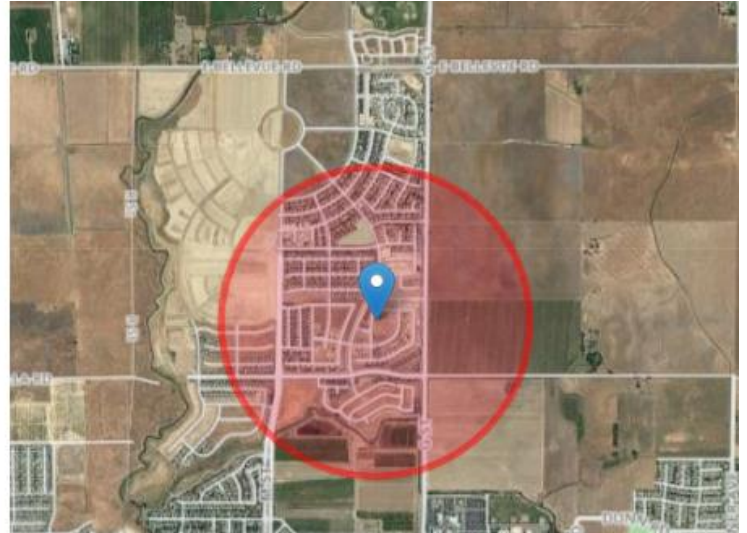
Potential Project Site #1

Build Lester K. Yoshida Park-Meets Criteria #1

Parks per 1,000: 2.02 acres

Results for Merced (County: Merced)

Latitude, longitude	37.3492472, -120.4718256	
Total Population	1,762	②
Youth Population	401	②
Senior Population	37	②
Median Household Income	\$72,808	②
Per Capita Income	\$26,842	②
People in Poverty	235	②
Households without Access to a Car	1	②
Parks total area	3.56 acres	②
Parks per 1000 people	2.02 acres	②



Potential Project Site #2

Build Charles Ogletree Park- Meets Criteria #1

Parks per 1,000: 2.88 acres

Find Your Community:

GET REPORT

Click the pin, then click a location on the map.

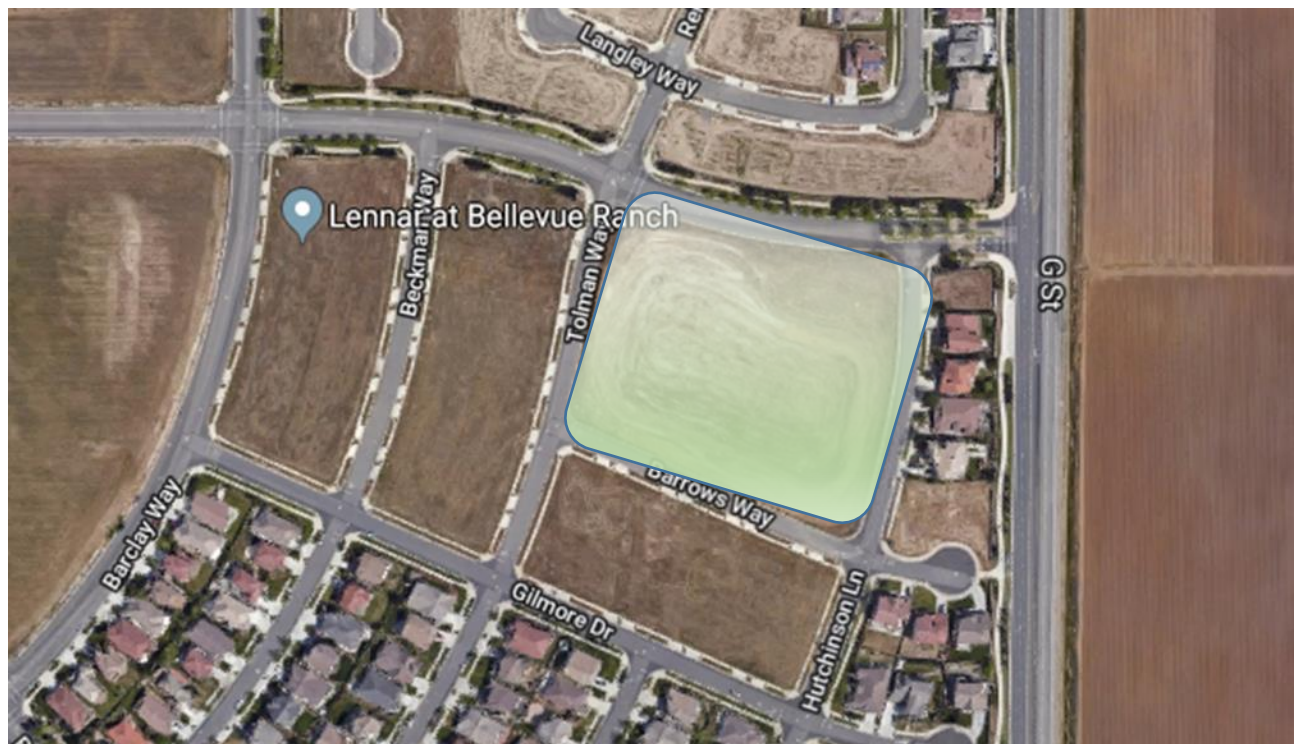
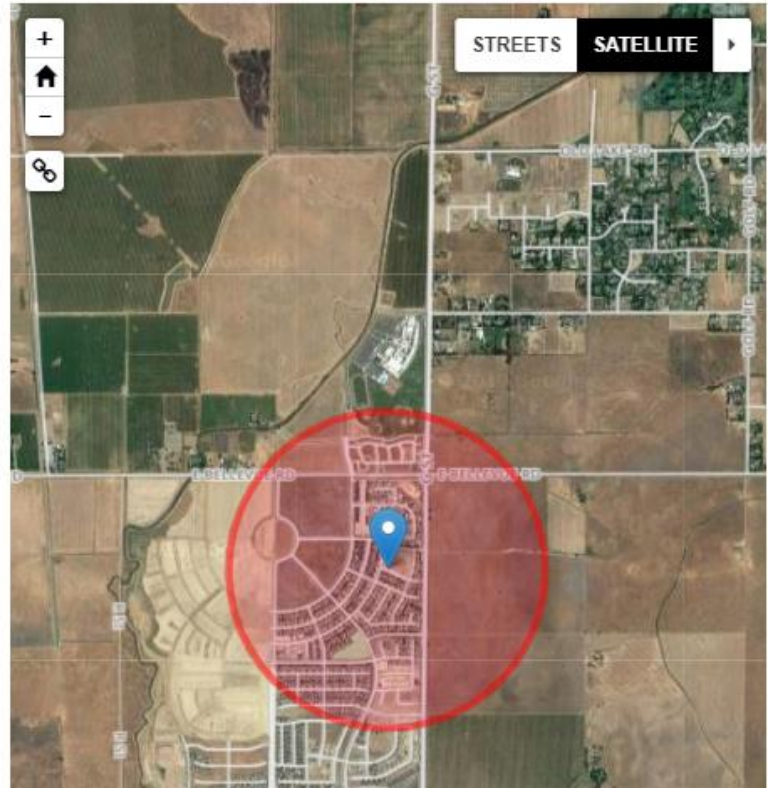
OR enter an address below and click Go!

merced

Go!

Results for Merced (County: Merced)

Latitude, longitude	37.3567864, -120.4708815
Total Population	1,236
Youth Population	272
Senior Population	28
Median Household Income	\$71,963
Per Capita Income	\$28,031
People in Poverty	168
Households without Access to a Car	1
Parks total area	3.56 acres
Parks per 1000 people	2.88 acres



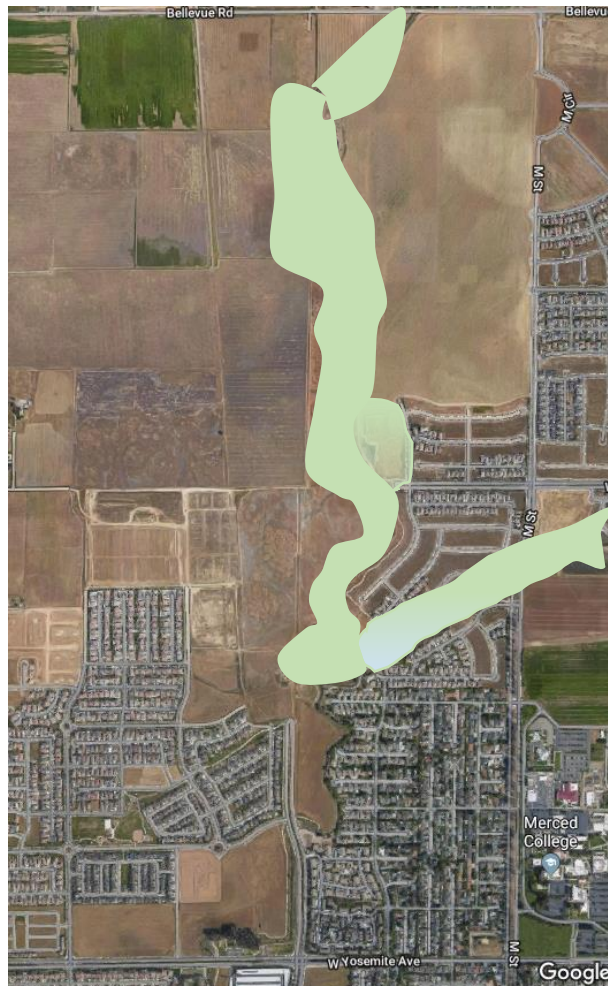
Potential Project Site #3

Fahren's Creek Trail- Meets Criteria #1

Parks per 1,000: 0.00 acres

Results for Merced (County: Merced)

Latitude, longitude	37.3482920, -120.4834986	
Total Population	1,006	2
Youth Population	266	2
Senior Population	24	2
Median Household Income	\$69,680	2
Per Capita Income	\$25,999	2
People in Poverty	140	2
Households without Access to a Car	1	2
Parks total area	0.00 acres	2
Parks per 1000 people	0.00 acres	2





City of Merced

Parks Survey

The City of Merced is applying for a Proposition 68 grant to create a new park in North Merced. We need your help selecting the park site. Please fill out the survey below to let us know what you want to see at your park.

1. What is your age?

- ☐ 20 and under
- ☐ 21 to 40
- ☐ 41 to 60
- ☐ 61 and over

2. If any, what are the ages of the children in your household (check all that apply)

- ☐ 0 to 5 years old
- ☐ 6 to 10 years old
- ☐ 11 to 15 years old
- ☐ 16 to 18 years old
- ☐ Not Applicable

3. What is your gender?

- ☐ Female
- ☐ Male
- ☐ Decline to state

4. What parks would you like the City to develop in order of priority?

- Lester K. Yoshida Park (4355 Bixby Way)
- Charles Ogletree Park (250 Mandeville Lane)
- Fahren's Creek Trail (4325 Freemark Avenue)

5. Are you a resident close to the proposed neighborhood park?

- ☐ Yes
- ☐ No

6. How often do you go to the park?

- ☐ Daily
- ☐ Weekly
- ☐ Monthly
- ☐ Occasionally
- ☐ Rarely

7. Why do you visit parks? (Check all that apply)

- | | |
|--|--|
| <input type="radio"/> Biking | <input type="radio"/> Play Sports |
| <input type="radio"/> Bring Children | <input type="radio"/> Relax |
| <input type="radio"/> Event | <input type="radio"/> Volunteer |
| <input type="radio"/> Sightseeing | <input type="radio"/> Walk Dog |
| <input type="radio"/> Skating | <input type="radio"/> Enjoy Nature/Peace and Quiet |
| <input type="radio"/> Time with Family and friends | <input type="radio"/> Play Equipment |
| <input type="radio"/> Exercise /Jog/Walk | <input type="radio"/> Other |

Other: _____

8. Would you or your children ever participate in an event or organized program in your neighborhood park?

- ☐ Often
- ☐ Sometimes
- ☐ Never

9. What are your priorities for a neighborhood park? (Check all that apply)

- | | |
|---|---|
| <input type="radio"/> Benches/Tables | <input type="radio"/> BBQ's |
| <input type="radio"/> Children's Play Equipment | <input type="radio"/> Picnic Shelters |
| <input type="radio"/> Dog Runs | <input type="radio"/> Skate Parks |
| <input type="radio"/> Drinking Fountains | <input type="radio"/> Sports Courts/Fields (Indicate which type in "Other") |
| <input type="radio"/> Open Space/Natural Elements | <input type="radio"/> Maintenance |
| <input type="radio"/> Accessible for all Abilities | <input type="radio"/> Trees/Shade Structures |
| <input type="radio"/> Lighting | <input type="radio"/> Restrooms |
| <input type="radio"/> More Trash Cans | <input type="radio"/> Amphitheater |
| <input type="radio"/> Walking/Biking Trails | <input type="radio"/> Splash Pad |
| <input type="radio"/> Public Art | <input type="radio"/> Features Geared Towards Teens |
| <input type="radio"/> Recreation/Sports Programming | <input type="radio"/> Other |
| <input type="radio"/> Security | |

Other: _____

10. What type of outdoor activities are not currently available in nearby parks, but are something you'd like to see in your neighborhood park?



ADMINISTRATIVE REPORT

Agenda Item J.2.

Meeting Date: 7/15/2019

Report Prepared by: John Tresidder, Assistant City Clerk, City Clerk's Office

SUBJECT: Report - Findings and Discussion on Forming a New Sister City Relationship

REPORT IN BRIEF

Updates City Council on current Sister City relationships and steps to form a new relationship.

RECOMMENDATION

Provide staff direction on the next steps for the formation of a new Sister City relationship.

AUTHORITY

City of Merced Charter Section 200.

DISCUSSION

History

Sister Cities International was formed by President Dwight Eisenhower in 1956 to foster international relations among American cities and cities from around the world with a similar makeup. The City of Merced formed two such partnerships in early 1963 by adopting resolutions recognizing Albury, Australia and Mercedes, Uruguay as official Sister Cities to the City of Merced. A third partnership with Somoto, Nicaragua began in the late 1980's by a group of citizens as a "Friendship City" and was officially recognized by the City Council as a Sister City in March of 1992.

The relationship with Albury, Australia seemed to thrive for nearly 40 years, with an active committee that met regularly, had regular communications with their counterparts in Albury, and facilitated visits with dignitaries from Albury.

Staff was unable to uncover much information on the relationship with Mercedes, Uruguay, other than some letters from a former Merced resident living in Mercedes who was acting as a liaison to help facilitate the Sister City relationship.

The relationship with Somoto, Nicaragua remains strong to this day, with a citizen-led group that visits yearly to provide medical services and supplies. Dignitaries from Somoto have visited Merced several times over the years and Mayor Murphy was part of a delegation to Somoto recently as well, further confirming the relationship between Merced and Somoto.

At the same meeting in March of 1992, the City Council requested the Sister City Committees for Albury and Somoto prepare a Sister Cities Program (attached) which was approved by Council in

November of 1992 that was consistent with the goals of Sister Cities International. The program was overseen by the Merced Chamber of Commerce and consisted of an Executive Committee to oversee the individual Sister City Committees. The Executive Committee had a non-profit status to help with fund- raising efforts. The Executive Committee and individual Sister City Committees were active during the 1990's, but are not active at this time.

In 2013, the City's membership to the Sister Cities International organization was discontinued due to budgetary constraints and remains inactive.

Current status and possible next steps

Staff reached out to the Northern California representative of Sister Cities International to discuss the possibility of adding a new Sister City and were told that Merced is shown inactive at this time and the organization would not be able to officially recognize any Sister City partnerships. However, it was stated that they still encourage new partnerships, whether as part of the program or not. The key point for any of the relationships is that they should be citizen-driven and not become political in nature.

It was suggested that Merced renew their membership to Sister Cities International to take advantage of member benefits, such as toolkits (see attachments), to assist in fostering lasting relationships between cities and access to grants that may be beneficial to the cities.

Sister Cities International also suggested taking on a new city relationship first as a "Friendship City", as was done with Somoto, and, when the bond is strengthened, have the City Council and the governing body of the partner city adopt resolutions officially declaring the Sister City relationship. The main point taken from the conversation was that citizen involvement is key to building, strengthening and maintaining a Sister City relationship.

IMPACT ON CITY RESOURCES

Membership dues for a city with Merced's population are \$810 annually.

ATTACHMENTS

1. Sister Cities International Program Guidelines
2. Sister Cities Partnership Toolkit
3. City of Merced Adopted Sister Cities Program



INTRODUCTION

A sister city program is one of the most important organizations a community can have. Sister city programs lead their communities toward global integration, using new technologies and techniques to support trade, health care advancement, democratization and the environment. Sister city programs are at the forefront of community development, working at the grassroots level to assist their partners abroad. Sister city programs and their volunteers represent all sectors of the city and all aspects of its society, diversity, history and ambitions. A sister city program is a community's international salutation.

No longer narrowly defined as an organization linked with a specific city in a single country, sister city programs are involved in much of a community's international relations, often acting as a city's international visitor center, protocol office and friendship society. Internationally aware, sister city members and volunteers are a community's citizen diplomats, providing cross-cultural expertise, foreign language skills and knowledge of foreign lands and cultures. A strong sister city program serves its community well.

At the foundation of every successful sister city partnership lies a strong local program with volunteers who are willing to commit time, talent and resources to develop a long-term relationship with their counterparts abroad. It is vital for sister city programs to outline their goals and objectives clearly both to their members and municipal representatives, and to their sister city partners. A successful sister city program builds on the history of cooperation between the two cities, incorporates the present needs of the communities and prepares for the needs of the program as it matures, adapts and expands.

Sister Cities International (SCI) has revised and expanded Building Your Local Program to meet the needs of its rapidly growing and changing network. This guide is designed to help SCI members structure and strengthen their sister city program, whether they are searching for their first sister city, have recently entered sister city partnerships, or have been linked with several sister cities for many years. The information provided in this guide is relevant to a community-wide coordinating body responsible for multiple affiliations, a program with a single sister city affiliation, or a committee searching for its first partnership abroad.

Sister Cities International (SCI)

Founded in 1956 by President Dwight D. Eisenhower, SCI is the national, nonprofit, volunteer membership organization representing the sister city programs of more than 1,100 U.S. cities and their 2,000 partners in more than 120 countries worldwide. As the premier organization for citizen diplomacy in the United States, SCI leads the national movement for local community development and volunteer action in the global arena. SCI motivates and empowers municipal officials, volunteers and youth to conduct long-term programs of mutual benefit and interest with their sister city counterparts abroad.

The goals of SCI are to:

- Develop municipal partnerships between U.S. towns, cities, counties, states and similar jurisdictions in other nations



- Create opportunities for the citizens of sister cities to experience and explore other cultures through long-term community partnerships
- Create an atmosphere in which economic development and trade can be developed, implemented and strengthened
- Stimulate environments through which U.S. and foreign communities can creatively learn, work and solve problems together
- Collaborate with organizations in the United States and other countries sharing similar goals

Building Community Partnerships Worldwide

SCI is unique in that it officially links municipalities from the United States with foreign cities through sister city agreements signed by the respective mayor of each city and ratified by each city council, or its equivalent. To be official, a sister city relationship must have the endorsement of the local authorities, who support the efforts of community volunteers. This dynamic process empowers all sectors of a community to participate constructively in the global arena, thus unleashing citizen diplomacy at the grassroots level.

SCI supports and serves an expansive network of volunteers dedicated to promoting citizen exchange and community-based leadership. This network includes:

State Coordinators, who serve in a voluntary capacity in each state, providing program development assistance as field staff to local level sister city committees. Local program leaders and municipal officials, who represent the vast volunteer network in more than 1,100 cities throughout the United States. Community volunteers, who number in the hundreds of thousands at the grassroots level and who are members of the local sister city programs

SCI staff and local sister city committees administer a wide variety of innovative grant programs, covering many different themes, which provide new ideas and direction to the national sister cities movement. Recent programs have included support for municipal education and training, youth community service learning, technical assistance, trilateral exchanges and independent newspaper management.

Joining the sister cities network

Membership in the SCI network benefits the local sister city program in several ways. SCI is the clearinghouse for local programs nationwide, providing services to its members, compiling statistics, promoting the SCI mission, publicizing the efforts of excellent sister city programs, projects and volunteers, recognizing young artists and international scholars and offering various grant programs to its members each year.

Dues-paying members receive:

- Access to the SCI affiliations database and SCI guidance and support during the affiliation process
- Technical assistance on building, funding and managing a local sister city program
- International training, cross-cultural expertise, protocol advice and development materials



- Access to municipal professionals and political leaders throughout the world
- Up-to-date information on leading NGOs, foundations and government initiatives that support sister city activities
- SCI publications, including SCI News, Report to the Membership, the SCI directory, and the annual convention and awards programs
- Guides and brochures for program development, practical training, teacher and youth exchange, fundraising and proposal writing
- Reduced registration and exhibit fees for regional, national and international conferences
- Voice and vote for SCI leadership and association policies
- Eligibility for innovative grant programs, from youth exchange to municipal training
- Eligibility for the annual awards program
- Discounted group and incentive travel programs
- Eligibility for the Young Artist
- Access to J-1 Visas for practical training and various insurance policies
- Invaluable networking opportunities through state, regional, bilateral and international SCI conferences and meetings.

Sister city programs tap SCI's resources to find contacts, to network globally and to glean ideas about how to develop projects that benefit U.S. communities and their affiliations.

Popular sister city activities include:

1. School affiliations
2. Performing/visual art exchanges
3. Community development programs
 - Health, Environment*
 - Humanitarian Assistance*
 - Tourism, Economic development*
 - Telecommunications*
4. Business/trade delegations
5. Foreign language instruction
6. Club or organizational links
7. Newspaper column exchanges
8. TV station links
9. Video exchanges
10. Community service projects
11. Museum exchanges
12. Radio station links

Although one person may serve as the driving force to start a program, all successful sister city programs have many people involved in the planning process. This ad hoc group of citizens guides the sister program while it is being structured and organized. It is not necessary to have a sister city to establish a sister city program and become a member of SCI.



Usually, a community has a potential city or cities in mind, but the process of formalizing the sister city relationship takes time, allowing the fledgling program an opportunity to build community support and to fine-tune its organization.

Taking the first steps

New sister city programs usually follow a six-step organizational process:

1. Selecting a sister city
2. Incorporating the program
3. Building membership
4. Forming committees
5. Designing the budget
6. Generating publicity

Selecting a sister city

Sister cities find each other in different ways. Examples of how partnerships are begun include:

- A group (service club, ethnic association, health clinic) or individual (student, teacher, businessperson, doctor) in the community with a particular interest in a region, culture, economic market or development issue form a committee and lobby their elected leaders
- Two mayors or city officials meet, discover common interests and then encourage their communities to initiate exchanges
- SCI introduces cities to each other through requests that come directly to the national headquarters through individuals or organizations with which SCI works (the staffs of SCI's counterpart organizations in foreign countries, Peace Corps Volunteers, U.S. embassies and
- U.S. Department of State officers, U.S. government representatives, colleagues in non-governmental organizations (NGOs) and private voluntary organizations (PVOs)

SCI requests U.S. cities looking for a sister city abroad to fill out a Community Profile Form to provide as much information as possible to share with prospective partner cities. In addition, cities are encouraged to send SCI multiple copies of excellent brochures, books or videos that promote the U.S. city. SCI puts U.S. and foreign cities into a database and lists “cities seeking cities” on its Web site.

Deciding to accept a foreign partner, one which shares the U.S. program’s goals and objectives, is often one of the most important first tasks upon which the sister city committee embarks. Normally, it takes one to two years to make the necessary contacts, to build solid sister city programs on each side and to develop good communication links. SCI strongly advises cities to have at least one official delegation from each city visit their prospective sister



city. Ideally, the delegation should consist of at least one senior city official (the mayor or a city councilperson) and key representatives from the community.

Structuring the strong program

Here are questions community members should consider when establishing their sister city programs:

- What is our mission?
- How do we accomplish it?
- What are our short-term and long-term goals?
- Why are we important in our community?
- What do we have to offer our community?
- With whom should we partner abroad?
- What are our criteria for choosing a sister city?
- What do we have to offer our sister city?
- Do we want more than one sister city?
- If we have multiple affiliations, will we structure an umbrella organization?
- Who is in the program now?
- Who would we like to join our organization?
- How can we build a diverse, multi-generational membership?
- What provisions have we made to have people with disabilities participate in our program?
- What provisions have we made to have people of all socio-economic levels participate in our program?
- How can we include ethnic and racial minorities in our program?
- Who are the leaders?
- Whom would we like as leaders?
- How can we design our program so that people will want to join and leaders will get a chance to lead?
- What are the responsibilities of the leaders?
- Who chooses the leaders?
- Who makes decisions?
- Who gives them authority to make decisions?
- Who does the work?
- How can we share the work?
- How can we teach new people the skills we already have and learn the ones they have?
- How will we raise money?
- From whom do we solicit funds?
- Can we design a structure that is flexible enough to change when our members, goals or community changes?



- Do we want to design a structure that is flexible enough to change if our sister city counterparts change their priorities?
- Does the state's statute covering nonprofit corporations allow the formation of a corporation to participate in the type of activity the group envisions?
- Are there any operational problems that can be foreseen?
- What are the tax consequences arising from the organization or operation of the group?

Over the years, SCI has carefully documented the successes and problems of its members. Although a program can have unexpected difficulties during any of its sister city activities, strong sister city programs endure. Such programs have several common attributes:

- **Memorandum of Understanding:** One of the most important documents developed between potential or affiliated sister cities is the Memorandum of Understanding, a clear, concise statement of the program's goals, objectives and planned activities. Memorandums are updated and revised throughout the lifetime of the sister city relationship, often every two to three years.
- **Diversity and Innovation:** Integral to the success of a sister city program is its ability to develop beneficial, needs-specific projects that lead to deeper ties between the two communities, such as using new technologies, promoting sustainable environmental and economic development, creating cross-cultural learning and training opportunities for both sides or initiating multilateral programs that involve more than one sister city partnership.
- **Reliable Communications:** Strong sister city programs establish and sustain reliable communication links that utilize the best technology available (phone, fax and e-mail) and professionally trained staff (whether volunteers or city officials) who have a good understanding of the cross-cultural dynamics of the relationship.
- **Broad-based Community Involvement:** Linking as many organizations (newspapers, service clubs, scout troops) and institutions (schools, universities, hospitals) in the two communities as possible strengthens the sister city program. Several venerable sister city programs have more than 100 organizations and institutions linked between the U.S. and foreign cities.
- **Evaluation and Follow-up:** Periodically, successful sister city programs re-evaluate their partnerships to reaffirm commitment, to discuss minor problems each side might be experiencing and to plan for new, innovative projects, which are adapted each year to reflect the changing needs of the communities.

Encouraging youth participation

A strong sister city program has active youth participation. Sister city relationships offer young people unique opportunities to develop beyond their local boundaries within a global family of communities. Welcomed as neighbors in cities and towns worldwide, sister city youth volunteers learn first-hand about other societies and



diverse perspectives and about their own potential for making a positive international contribution on the local level. Sister city youth are active in grassroots diplomacy efforts, cross-cultural leadership training and educational exchanges, activities which teach them skills and knowledge necessary to lead their communities into the future. Sister city youth activities have long-term impact in the participating communities. These youth activities strengthen and diversify the sister city partnerships by involving new groups, institutions and individuals in the relationships.

Exploring the Internet

Sister city programs in many countries use telecommunications technology in schools to offer students of diverse background the opportunity to participate in global dialogue almost everywhere, almost instantly, regardless of gender, religion, race, ethnicity, disability or socio-economic status. Youth active in participating in online discussion groups, designing Web sites and engaging in community service activities extend their reach beyond their desks, classrooms and schools. In school projects, students choose themes such as local and global environmental issues, health and human services, cross-cultural understanding, peace and conflict studies, political issues, international trade and the arts to explore with their sister schoolmates via e-mail and the Internet. Through such projects, students begin to sense their role in the global community.

With this new global access comes a new global responsibility. Students who engage in dialogue with their foreign counterparts must interact responsibly and respect inherent cultural differences. This recognition helps youth build a foundation for substantial international diplomacy by developing cross-cultural understanding and tolerance for different world views.

Sister city programs can develop Internet projects that will support youth as they acquire leadership and technical skills, develop a sense of global responsibility, and act cooperatively both locally and internationally to improve the quality of life in their communities.

Working with City Hall

An official sister city relationship does not exist in a community without a document, a sister city agreement, signed by the respective mayor of each city and ratified by each city council, or its equivalent. Although the mayor and City Hall may not always be active in the sister city program, SCI recommends that the city and program establish a good rapport and a close working relationship with the mayor and City Hall.

Eight techniques for strengthening the sister city relationships with municipal government:

1. Involve local elected officials to participate in the sister city program. Invite officials on exchange programs to the sister city.
2. Appoint city government officials to the sister city board;.
3. Provide sister city officials the opportunity to speak at a sister city events.



4. Provide the opportunity for an elected-official to serve as a host family of a visiting delegate.
5. Establish a liaison in the mayor's office or in City Hall. Recruit an employee at City Hall to participate on the program's board of director's.
6. Address financial and other issues up front with the local government. Obtain financial commitments from the city council, city manager or mayor's office. Funding should be inclusive for all sister city committees. If funding is secured through local government, make certain to keep these branches of local government informed of all administrative decisions made by the board of directors.
7. Develop projects with the city's chamber of commerce, economic development and parks and recreation department.
8. Create a partnership between the sister city program and local government. Ask the city council or mayor to help choose sister city programs that are of interest to them. In doing this, be cautious that city hall does not completely control the sister city agenda and do not allow the sister city program to become too political.

Choosing a program structure

What is best for a small town is not necessarily best for a large city. The three basic types of structures sister city programs use are: the association, the city commission and the corporation.

The Association

An association is a group of people joined with a common purpose, often without a formal structure. Ordinarily it is not incorporated, but an association uses the same methods and forms used by corporations. In fact, the association is often treated by regulatory and tax authorities as a quasi-corporation. This treatment is more likely if the organization and operation are governed by a written agreement of its members. This type of structure is usually found in small- to medium-size cities with a very informal sister city program, as well as and among programs with little community-wide fundraising or funding.

Disadvantages:

- The governing laws are inadequate and vague
- The number of unincorporated associations has dwindled in recent years

The City Commission

- Even when membership changes within the organization, the corporation has a continued existence.

A city commission is put together formally by municipal ordinance and carries out its functions as an arm of city government.

How it works:



- The Mayor usually appoints the members of the sister city commission
- The commission is responsible for affiliation policy and direction
- The commission reports to the mayor and/or city council
- The chairman and members serve for specified periods of time

Disadvantages:

- When the current mayor leaves office, the commission may undergo a change of leadership or may not be a top priority for the incoming mayor
- This type of structure may make a sister city program subject to the leadership of the city
- There may or may not be continuity of the program if the commission's mandate is not endorsed or encouraged by the new mayor

The Corporation

The corporation is a legal entity with its own name. It is made up of individuals that must follow the laws regarding corporations.

Advantage:

SCI **strongly** suggests incorporation of sister city programs. It is also wise to apply for tax-exempt status under the statute 501(c)(3) of the IRS tax code. This allows contributors to make tax-deductible donations to the program. The step-by-step process for incorporating a sister city program begins on page 8.

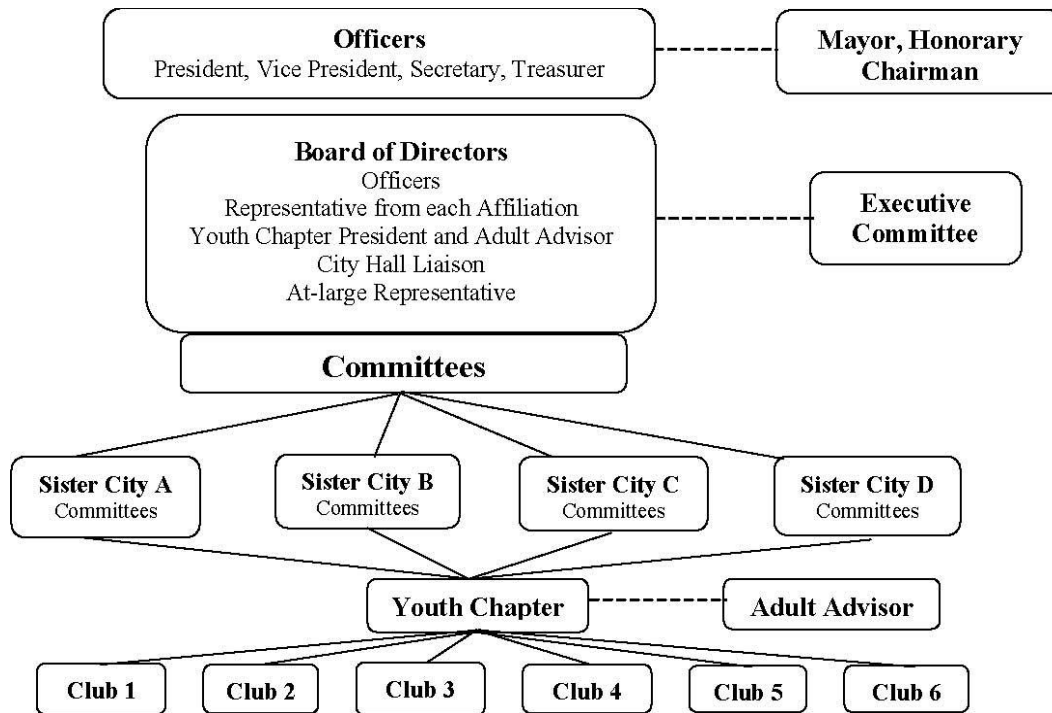
The Coordinating Body

When selecting the type of organization that best suits a community's needs, the sister city program should consider the future growth of the program. Many cities enter the program with the intention of linking with only one sister city. Once communities realize the benefits of a sister city affiliation, however, interest is generated in the community for additional affiliations in other countries. SCI suggests forming an umbrella structure under which additional sister city partnerships may be organized and maintained. This umbrella organization functions as a coordinating body for the sister city committees in your community. The umbrella structure gives sister city programs numerous advantages:

- Gives sister city committees the added power associated with being a part of a larger organization in terms of recognition and clout in the community. All sister city committees can speak with one voice in the community on issues that are a concern to each.



STRUCTURE FOR A MULTIPLE SISTER CITIES PROGRAM



Sister Cities Association of _____, Inc.

- Serves as the over-all sister cities corporation for the community with its tax-exempt status applied to all of the sister city committees. This will make it legally easier to start a new committee and avoid the confusion of having three to fifteen separate committees applying for their individual tax-exempt status.
- Represents and promotes each of the sister city committees, providing information to interested individuals and organizations, potential new volunteers and members, the media and City Hall.
- Serves as a forum for communication among the various sister city committees. The program can publish a monthly newsletter with information on the activities and programs of the individual committees.
- Maintains the morale of a sister cities committee if relations with its sister city are in a down phase.
- Facilitates fundraising for the individual sister cities committees.
- Sets criteria for the selection of future sister cities for the community. This ensures that the proposal for a new sister city is backed by an enthusiastic and well-prepared group of citizens.

SCI recommends the organizational flow for a multiple sister cities program.



SCI suggests the following in establishing an umbrella structure for the sister cities program with multiple affiliations:

- Bylaws should state the name of the current sister city affiliations as subcommittees and should allow for future sister cities to be included in the framework.
- A sister city program should obtain the authority of City Hall to be the sole group to recommend new sister cities. Proposals for new sister cities should be addressed to the sister cities program and should meet certain criteria established by the program as a quality control measure. Only after the sister cities program approves of the proposal should a recommendation be made to the mayor for city approval.
- Some cities have established separate checking accounts for each of the sister city affiliation committees and for the coordinating body. Others cities operate with just one account for the entire organization. A sister city program needs to decide which option will most efficiently and effectively move and keep funds for the program and facilitate proper financial record-keeping.
- Rather than dividing energies by establishing an individual youth group for each affiliation, SCI recommends that the sister city program form one youth chapter. There should be at least one adult advisor for the chapter, ideally one from each sister city affiliation. The chairperson of the youth chapter should be on the board of directors, carrying an equal voice and vote with the adult directors.

INCORPORATING THE LOCAL PROGRAM

After the committee has decided on a structure, it is time to make the program a legal entity. Some sister city committees seek legal help in preparing the necessary documents. This assistance is often provided free of charge or at a reduced rate, depending on the attorney approached.

The legal capacities and liabilities of the corporation

A corporation exists on its own, completely separate and distinct from its members. Incorporation means that members have no personal liability. A corporation may:

- Deal in property
- Execute contracts
- Sue and be sued
- Incur liability (note: any resulting judgments may only be claimed only against corporate assets, not against members assets)

The corporation should consider purchasing liability insurance. This will protect the corporation from damages that occur or suits that result from a sister cities-sponsored event that involves the public. This liability insurance is not meant to replace the individual exchangee's accident or sickness insurance while on a sister cities sponsored exchange. Each participant should secure appropriate insurance coverage while on an exchange, or the group as a whole can purchase insurance for the duration of the exchange. Liability insurance is meant to protect the program and its events in the community. For the best type of insurance coverage for each program,



SCI suggests that each program consult a local insurance agent familiar with nonprofit corporations. SCI may also assist by referring the local program to SCI's insurance provider, which can tailor policies that meet the needs of the local sister cities program. Please contact SCI for more information.

The process of incorporation

A sister cities program has 15 months to apply for tax-exempt status after it initiates the process of incorporation.

Importantly, all contributions made during this time are retroactively tax-exempt.

SCI advises the sister cities program to follow the steps below efficiently in order to legalize and to protect itself:

- Obtain a federal employer identification number from the IRS.
- Write the articles of incorporation and the bylaws.
- Call an organizational meeting to: approve articles of incorporation and ratify bylaws, select board of directors and officers and decide on a bank for the program's account.
- File the articles of incorporation with the Secretary of State in the program's state or a commissioner of corporations to become a nonprofit corporation. Although statutes vary from state to state, the corporation becomes a legal entity when chartered in one state.
- File the certificate of incorporation with the city/county recorder of deeds.
- Open a checking account. If the program will be soliciting funds from the U.S. Government, it may have to establish a non-interest bearing account. As a rule, the government requires that any grants be placed in these accounts. The program may also wish to open accounts for each sister cities affiliation.
- Obtain an income tax exemption from the federal government under section 501 (c)(3) of the IRS tax code. Although this is not necessary, tax exemption is VERY beneficial. The sister cities program will be exempt from all forms of tax including state, local, sales, use, and property taxes. In addition, all of your donors will be able to deduct their contribution from their federal taxes. Also, by claiming tax-exempt status, the sister cities program will qualify to receive funds from private foundations.

Incorporation requirements may differ from state to state. SCI suggests each sister cities program check its state statutes and administrative agencies for local procedures and requirements.

Points to consider:

- A majority of incorporators may have to be residents of the state
- Incorporators may be subject to examination by officials
- A public hearing may be held
- If the program fails to win approval for incorporation, it may appeal to an appropriate court for another hearing



Federal employer identification number

A federal identification number is to the organization what a Social Security number is to an individual. A nonprofit corporation must have this to fill out an IRS tax exemption application, federal, state and local tax reports and applications for checking and saving accounts. A sister cities program can apply for this number as soon as it decides that it will become nonprofit. Use form SS-4 from the IRS.

Articles of Incorporation

Drafting the articles of incorporation is the first step in forming the corporation. The articles will also serve as its constitution. At this stage, it is important for members to understand the difference between the corporation's articles of incorporation and its bylaws.

Articles of incorporation are on file in a public office and are open for inspection for the public. The articles state the purpose of the organization, and declare the organization's existence.

Bylaws are an internal document, which define management and operational practices of the organization. Only members have an inherent right to view the bylaws. The bylaws may be amended after they have been ratified without going through any legal process, whereas the articles of incorporation must be resubmitted.

SCI suggests the following be included in the articles of incorporation:

- Document's identity, whether it be articles or certificate of incorporation
- Name of the statute under which incorporation is sought
- Corporate name
- Purpose clause
- Statement regarding the corporation's nonprofit nature
- Locality in which the corporation will conduct its business
- Minimum or maximum number of directors needed
- In some states, a statement that all those subscribing to the articles are legally qualified (i.e. U.S. citizens)
- The name and address of the designated agent for service of process
- The signators' signatures, addresses, and acknowledgments,
- An approval statement from any government agency required to approve the document

Bylaws

Bylaws should be substantial enough to cover the operation and management of the organization, but not too long to inhibit a member from knowing what is included in the bylaws. It is preferable to issue comprehensive bylaws to cover any issues that may arise in the future of the organization.

Bylaws should include:

- A restatement of purpose appearing in the articles of incorporation
- Membership qualifications, methods of admission, member's rights and privileges, initiation fees, dues, termination of membership by various means



- Directors' qualifications and their classifications, the manner and times of election, terms of office, powers and duties, meetings and sunset clause
- Officer's titles, qualifications, powers, duties, terms of office manner and times of election or appointment and compensation for office
- Optional executive committee of the board of directors to exercise power between meetings
- Vacancies in offices or on the board or directors and how they are filled
- Detailed voting procedures and what number constitutes a quorum
- Meetings for elections and other purposes (general and special) including notice, quorums, agendas and voting qualifications
- Bonding or particular officers and agents
- Bank depository and which officers can handle funds
- Property holding and transfer
- Fiscal details regarding year-end results
- Principal committees and their functions
- The seal its adoption, custody, and method of use
- Principal office
- Methods and rules for amendment of charter and bylaws
- Dissolution procedures and disposition of surplus assets upon dissolution

Please see Appendix B for sample bylaws as suggested by SCI. The national office also has samples of bylaws in use by various sister city programs around the United States.

Filing the Articles and Certificate of Incorporation

After the articles of incorporation have been completed, they must be properly executed and legally recorded. Each incorporator must sign the certificate in its final form. In some states, the signing must be notarized. The certificate is then submitted for approval by the appropriate government-approving agency in the state, and the certificate is filed.

The filing fee for the articles varies from state to state. The filing is carried out by sending the executed certificate and the filing fee check to the Secretary of State or some other designated officer in the state government. The Secretary of State approves the certificate and the corporation becomes legally "alive." Notice of approval is given in a receipt acknowledgment certificate mailed to the attorney and normally serves as evidence of the incorporation. This certificate is then filed with the recorder of deeds.



Tax exemption: 501(c)(3)

Certain nonprofit corporations are granted exemption from taxation. An incorporated sister cities program is one of these. By obtaining tax exempt status, the sister cities program may also receive other benefits as well, including exemption from state and local sales, use, property and other forms of tax. The sister cities program is eligible to attract charitable contributions from individuals and corporate donors. This status would therefore assist your fundraising efforts if donors could deduct this amount from their federal taxes. By claiming tax-exempt status, your sister cities committee will qualify to receive funds from private foundations. Many federal agencies can often only make grants to or enter into contracts with nonprofit organizations that are tax exempt.

To obtain tax exempt status under section 501(c)(3) of the IRS tax code, the program must file IRS Form 1023. An annual tax return must be submitted on IRS Form 990, if the organization expects to raise at least \$5,000 each year or an average of \$5,000 for three years. Requirements for obtaining 501 (c)(3) status state that your organization:

- Must be organized and operated exclusively as a charitable and educational organization,
- Must allow no part of its net earnings to inure to the benefit of individuals,
- Must not engage to any extent in political campaigns for or against any candidate for public office and
- Must not attempt to influence legislation as a substantial part of its activities (i.e. the program may not be a fulltime lobbying organization).

Failure to meet any one of these requirements will disqualify the program from being granted 501(c)(3) status. If the program engages in any of the prohibited practices mentioned above, it may have its tax-exempt status withdrawn. If the program is an integral part of local government (i.e. city commission), it will not qualify for tax exempt status. SCI suggests that programs contact their city officials to check whether the city has a separate status that covers nonprofit organizations.

The benefits of incorporation are numerous:

- Full or partial exemption from federal income taxation, with the same exemption granted at the state level
- Special postage rates
- Exemption from certain customs duties for art objects used for sister cities projects
- Exemption from the statutory obligation to pay state or other unemployment compensation funds
- The privilege of soliciting contributions, bequests and gifts,
- Deductibility of charitable contributions by donors to the organization



BUILDING MEMBERSHIP

Recruiting volunteers

Recruiting volunteer members is essential to the existence of a sister city program and should be an ongoing process. New volunteers rejuvenate the program, bringing new ideas and community contacts, which complement those of long-time volunteers and program participants.

A potential members may be found everywhere in the community:

- Friends and family
- Local businesses and corporations
- Chamber of Commerce, office of economic development
- Civic groups: Rotary/Kiwanis/Lions/Junior
- League/League of Women Voters
- Telecommunications technology groups
- Travel/tourism groups
- Environmental organizations
- Senior citizens groups
- Boy/Girl Scouts, Junior Achievement and 4-H chapters
- Neighborhood associations
- Municipal government services
- Police officers/fire fighters
- National Guard
- Ethnic associations and cultural organizations
- Artists, musicians, performing groups, theaters
- Elementary/secondary schools/vocational schools and colleges/universities
- Superintendents/principals/teachers/students
- Hospitals/health clinics
- Museums/historical preservation organizations/libraries
- Churches/synagogues/mosques/temples/shrines
- Newspapers/television/radio stations

Potential members may be reached by various methods. The chapter Generating Publicity (page 16) outlines several strategies for building a strong membership base.



Organizing program participants

Once assembled, sister city volunteers need to be organized, involved, and directed. The local sister city program should:

- Create a system so that each volunteer can participate fully in the program
- Assure that each subcommittee performs effectively
- Make the leadership responsible to all participants
- Perpetuate the organization and help it grow
- Promote the importance of the program in the community

Board of Directors

From the general membership of the new organization, a board of directors should be elected. The board serves three main functions:

- Long-range planning through policy development and implementation
- Financial management of the program
- Evaluation of program activities

The powers and duties of the officers and board of directors should be clearly defined in the charter and bylaws. Board member should be more than figureheads without any real power to act on behalf of the organization.

When outlining the powers and duties of the members of the board of directors, a term of office is established. Many committees have followed the general rule of a three-year term for members of the board. Board members may be elected on a three-year rotating basis with 1/3 of the board membership up for election each year. For example, if 12 members were to serve on a board during the first year of operation, four would be elected for a one-year term, four elected for a two-year term, and four elected for a three-year term. In the second year of operation, all candidates for the board are elected to three-year terms.

SCI suggests including a sunset clause in the charter and bylaws. A sunset clause sets a certain limit on the number of terms a director can serve and can prohibit a director from serving consecutive terms. A sunset clause gives the program the opportunity for turnover, providing all members the chance to have a leadership position in the organization.

From among the members of the board of directors, many committees elect officers. The duties of each are as follows:

President/Chairperson:

- Leads the organization
- Serves as the spokesperson for the group
- Chairs board meetings
- Sets the pace for the board by raising funds
- Motivates and challenges the whole group



Vice President

- Assumes the president's/chairperson's duties when absent
- Assists the president/chairperson with duties
- Can serve as the president/chairperson-elect

Treasurer

- Is responsible for the overall financial management of the program
- Prepares financial reports for internal use and tax reports
- Is not in charge of fund raising

Secretary

- Sends written notices of meetings to members
- Takes accurate minutes of meetings
- Provides internal communication and correspondence

SCI recommends that the local program organize its members in a “pyramid” fashion. Programs should have a president or chairperson, a vice president, a treasurer, secretary, a board of directors and many committees.

FORMING COMMITTEES

The board of directors does not work alone; all work should be divided among task forces and committees. The level of the activity in a sister cities program determines the frequency of committee meetings. Depending on the program's agenda and goals, committees may meet bimonthly, monthly or quarterly. Special seasonal activities, such as summer youth exchanges, may prompt additional meetings. Typically, the board of directors meets monthly, and all volunteers come together at least once a year to review the past year's activities, to elect officers and to decide upon program activities for the coming year.

There are three types of committees serving different functions:

Standing committee, which oversees the internal management of the overall program
Administrative committee, which is assigned to a particular program area
Special committee, which is created as the need arises to deal with a one-time issue or an issue that needs special guidance

Standing Committees

Commonly, a sister cities program has two standing committees: the executive committee and the membership committee. The rules and responsibilities of these committees are outlined below.



Executive Committee

- Manages the organization when the board is not in session
- Acts by a quorum and majority vote, unless otherwise specified
- Has members that are appointed by the board and serve at its discretion
- Has powers and duties that are spelled out in the charter (when the board of directors is in session, the power of the executive committee is suspended)
- Is subject to the same rules that control the board of directors

Membership Committee

- Encourages new people to join the program
- Assists new members in finding a place in the organization
- Sets goals for the growth of the organization's membership
- Conducts the annual membership drive

Administrative Committees

There are many ways to organize the administrative duties of your program. Listed below are some ideas on how to coordinate committees to take care of these responsibilities.

Public Relations Committee

- Creates positive attitudes and opinions of your program
- Serves as the information link to your community and media (this includes writing news releases, developing personal contacts with reporters and responding to requests for information)
- Arranges speaking engagements for sister city volunteers with other civic organizations
- Prepares newsletters, information brochures, flyers and other printed material
- Prepares slide shows and video presentations
- Plans and carries out special events

Fundraising Committee

- Plans and organizes events to raise money
- Solicits donations from local organizations, foundations and corporations

Importantly, while the fundraising committee may be primarily responsible for fundraising activities, everyone within your program should be prepared to assist.

Cultural Programs and Exchanges Committee

- Plans cultural events, such as educational exhibits, photographic displays, musical and theater performances and language classes
- Develops cultural exchanges with its sister city counterparts



- Highlights and promotes the important role that the sister cities program and volunteers perform in the community in terms of cross cultural exchange

Municipal and Congressional Relations Committee

- Serves as the direct liaison with City Hall and municipal government departments
- Establishes and develops relationships with the state and federal congressional representatives

Professional/Technical Committee

- Arranges professional and technical internships and exchanges between the sister cities
- Serves as the clearinghouse for counterpart professionals in both cities
- Develops professional and technical training projects
- Advises the programs on issues involving professional and technical development issues in the sister city programs with affiliates in developing countries may use this committee to lead assistance efforts

Trade and Commerce Committee

- Develops trade and business exchanges, seminars, exhibitions and trade fairs with businesses in the sister city
- Acts as the liaison with the local chamber of commerce
- Promotes industries and exports of the sister cities to local industries
- Develops relationships with sponsors with economic interest in SCI

Hosting Committee

- Handles protocol for international visitors
- Arranges tours, cultural outings and home-stays for visitors from the sister cities
- Organizes receptions for sister city visitors
- Arranges for visitors to meet their professional counterparts

Education and Youth Exchange Committee

- Serves as the liaison with schools (primary, secondary, post-secondary), colleges and universities in the community
- Promotes “sister school” linkages and the introduction of the sister cities program into the city’s educational curriculum
- Organizes youth and academic programs and exchanges between the sister cities



Youth Chapter

- Encourages active representation and participation of youth in the sister cities program (there should be at least one adult advisor for this division)
- Youth participants set their own guidelines and organize activities with support and assistance from the adult committees
- Nominates one representative per affiliation to serve on the SCI National Youth Program Assembly

Other Committees

Other committees may include a history and archives committee, an audit committee and an advisory committee. In addition, SCI encourages the local sister cities program to maintain close contact with the national office by appointing a committee or person to serve as the liaison between the program and the state coordinator and the SCI. The liaison is responsible for keeping the SCI informed about local program activities and submitting local newsletters, articles, photos, videos and other materials for SCI to share with the network and to include in its publications.

Special Committees

Special committees are formed sometimes on a onetime basis, or as events come up that may need special attention for a finite period. Two examples are:

City Selection Committee

- Establishes criteria for the selection of future sister cities (SCI has a list of criteria that the committee may use as a guideline in drafting its local criteria for future city selection. Common criteria include: population size, geography (e.g. mountain resorts or a ports), historical connection, previous collaboration by other organizations, similar names and similar industries/exports).
- Decides whether a proposal for a new sister city meets the program's established criteria
- Recommends proposals for new sister cities to the board of directors (this recommendation is then presented to the mayor for approval)

Nominating Committee

- Is appointed preceding an election for the board of directors
- Interviews potential candidates and defines the job description and obligation of board members
- Presents a slate of board of directors candidates to the general membership and conducts the election of new directors



DESIGNING THE BUDGET

An annual budget for a sister cities program should include both cash-on-hand and donated in-kind services. While some businesses may not be able to give cash, they may be able to donate their services. The value of their services is a legitimate income for the program.

Membership dues for the local sister cities program are a way to raise some of the basic operating expenses for the program. The dues structure outlined below is based on a “typical” sister cities program for a medium-sized city with a population of 50,000. In many cases, that structure is altered according to the population of a city. Small cities have charged \$2 to \$5 for individual dues while larger cities have charged \$20 to \$25 for the same category. Initially, a sister city program may wish to start with a low figure for the first few years until it determines the actual cost of running the program.

In general, expenses for trips to the sister city are not included in the annual budget since participants pay their own way. Official representatives traveling to the sister city for a specific purpose other than vacation or touring, could deduct part of the cost of the trip from their taxes if the program is incorporated as a 501(c)(3) nonprofit corporation. SCI suggests that the program consult with an accountant to determine which expenses qualify as tax deductions.

Travel, for the most part, is paid by individuals or supported wholly or in part by special fundraisers the program may decide to undertake. The program, however, may want to support some type of annual travel expense from the annual budget for special types of exchanges, such as youth exchange scholarship or technical assistance projects.

Expenses

The following is a list of typical expenses that the sister city programs can expect to incur. Several of these expenses are one-time costs only, and many may be donated as in-kind contributions from members.

- One-time incorporation fee
- Publicity and printing (newsletter, program brochures, advertisements)
- Hosting visiting delegations
- Copying/postage/overnight mail
- Telephone/fax/e-mail/Internet services
- Web site design and storage
- Annual membership dues to SCI
- Gifts for sister city
- Scholarship assistance for youth exchange programs
- Technical assistance projects
- Fundraising expenses (to cover the initial outlay before the event)



Income

Annual membership dues are probably the easiest way for a sister cities committees to generate funds. The following is a sample breakdown of membership dues for a city with a population of 50,000, as noted above:

- Youth \$10
- Individual adult \$25 Family \$30
- Sponsor \$50
- Business \$50
- Organization \$100 Friend \$200 Patron \$500
- Benefactor \$1,000 +

Other sources of funding and methods to generate income include:

- City government contributions
- Corporate donations
- U.S. government and foundation grants
- SCI grant programs
- Direct mail solicitation
- Sale of items (recipe books, T-shirts, bumper stickers)
- Fundraisers (auction, raffle, international dinner)
- In-kind contributions (printing, complimentary hotel rooms for visitors, legal services, meals, home-stays)

Achieving Success in a Fundraising Program

Fundraising has deep roots and a long history. While philanthropic traditions vary from nation to nation, results of generosity have been exceptional in many parts of the world. Unfortunately, fundraising sometimes has a tarnished reputation. Unethical and unprincipled practice has given it an aura of shame. Just as bad are some conventional attitudes about resource development it is begging, it is holding out the tin cup, it is demeaning. Many of these attitudes, however, are based on lack of knowledge and misunderstanding of the fundraising process. Fortunately, if sound fundraising principles are followed and practice is based on successful experience, much can be accomplished for nonprofit organizations.

Well-meaning individuals perceive a need and immediately seek to remedy it by seeking funds. This kind of practice frequently results in failure or a disagreeable experience. The following is a brief description of steps involved in a successful fundraising program.

Know basic market principles: Begin the fundraising process by realizing that it is a reciprocal relationship. Fees and other income rarely meet the budgetary demands of nonprofit services. Consequently, a nonprofit organization such as a sister city program, cultivates and solicits its clients and friends, many of whom become donors. A sister city program must remember that a donor has a right to expect something in return for a gift. As donors provide funds for programs and operating needs, they expect gratitude and recognition, as well as some intangible rewards such as a sense of belonging and making a difference.



Consider the environment and climate for fundraising:

An organization's environment has an impact on the feasibility of fundraising. If government regulations, current economic factors, changing demographics and other factors are not considered, a sister cities program may find it difficult to meet its fundraising goals. Internal circumstances also dictate success or failure, such as an organization's readiness to raise funds. Are appropriate personnel in place? Is there an accounting and recording system? Has strategic planning been done? These and other questions must be answered before donors are approached.

Create and examine case: A case includes the reasons someone should give money to an organization. Making a case means sharing the mission, goals, objectives and prospects. It includes describing programs and evaluation procedures and providing financial reports. A case should be the best way possible. It includes a statement of needs. What kind of financial support is required to carry out the programs and plans of a sister city program?

Involve board and other volunteers: Board members are charged with securing and managing financial support. Therefore, boards of sister city programs should be involved from the inception of planning for programs and fundraising. Board members, as well as other volunteers, are the most effective persons to ask for funds because they represent commitment to a cause. The board should validate the needs and case before any further planning or activity takes place. Is the case representative of the sister cities program? Are the needs genuine? Is there an appropriate match between what the organization can do and what potential clients must have?

Determine markets: Potential funders include foundations, corporations, associations, government, churches and, most importantly, individuals. What are the possibilities for acquiring funds from each market? Which are the best ones for the organizations to develop? Have all feasible funding sources been considered?

Select programs and strategies: How will the prospects be solicited? For what programs? Programs for resource development include capital, annual fund, special projects, endowment campaigns and major gifts. Each of these should be evaluated as to its purpose, and the appropriate one(s) selected. Strategies for approaching donors include mail, telephone, special events and face-to-face solicitation. The more personal the approach, the more effective the solicitation.

Research prospects: A sister city program's constituent groups should be determined through research. Minimal research is required for those prospects who will make up the donor base; these include first time givers and repeat donors whose gifts are small. Individuals who will be asked for larger gifts will be more fully researched in order that they might be cultivated and solicited appropriately.

Create, use and solicit the plan: Planning is a mean to determine what must be done, how it will be accomplished and who will do it. By now, prospects and donors have been selected and matched with strategies for solicitation. The fundraising vehicle has been chosen, the case has been prepared (along with materials that will express the case), board members and other volunteers have been involved in all steps, and the organization's readiness to raise funds has been determined. Now it is time to create a plan. A plan should be a workable and dynamic part of a fundraising program. Constituent groups, which include prospects and donors, must be told about the sister



cities program and its needs, as well as achievements and opportunities. Communication lays the groundwork for successful solicitation, and can take many forms. Communication also includes feedback from constituents, which provides a basis for wise decision-making.

Solicit the gift: After all this preparation, the time has finally come to ask for the donation. Thorough preparation, which may vary in intensity, time and detail, ensures the likelihood of success. Appropriate and timely recognition paves the way for the next step.

Renew the gift: The best prospect for a charitable gift is the person who has already given. The opportunity to give and give again should be provided to all who are prospects and can be attracted to support a sister cities program's cause.

Fundraising is a highly integrated management process. Each step in a successful fundraising program may not require the same emphasis for each organization, but no steps can be missed without diminishing the likelihood of favorable results.

It is a privilege to raise funds for a worthy cause. Those who are willing to be engaged in such activity and do it with some level of success deserve a special honor because they have helped bring about needed and valuable results.

[Adapted from an article by Lilya Wagner, Fundraising School in the Center of Philanthropy, Indiana University.]

GENERATING PUBLICITY

A comprehensive, well thought-out publicity (or public relations) plan will help the sister cities program create awareness, acceptance and understanding in the community. A successful publicity campaign will accumulate financial contributions, improve fundraising efforts, increase membership and advance community relations. In developing a publicity plan, there are no limitations set on innovation, other than ethical ones, to achieve the local program's objectives.

In order to successfully publicize the sister city program, members need to keep in mind two essential elements: good performance (a high-quality sister cities program) and good communication with the public.

This section focuses on effective public communications. In planning publicity for the sister cities program, members should consider implementing the following three common publicity tactics:

Publicizing the program using the local media

One of the most effective ways to get the message out about the mission, activities and events of the sister cities program is to utilize the media outlets in the community. To do this effectively, a program needs to have extensive knowledge of its history, current activities and participants. In addition, it needs to know the sources of news, what makes news and how to generate news.



There are two sources of news: events-something that has happened and situations-a permanent or long-lasting issue, condition or problem. When informing a news outlet of a potential story, be sure to use one or all of the following techniques to inform the media of program news.

News (or press) release: This is a standard form to inform the media about news from the local program. A news release must be newsworthy, and it must get to the right person at the right time.

Press conferences: This is a meeting called to inform members of the media about an event or situation, and to provide them an opportunity to ask questions. Be cautioned that holding a news conference on a “non-news” story may damage a local program’s credibility.

Direct media contact: Getting to know the reporters and editors personally is the key to many successful publicity campaigns. It makes good sense to do a press release mailing, but even better sense to follow-up the mailings with a phone call and a personal visit.

Feature Story: Over the years, local sister city programs have had success placing feature stories about their programs in newspapers on television. A feature story is based more on interest or background than on news. There are no limitations to writing feature stories for the local media. Whenever a member finds something that can be made interesting to the public, consider submitting it to the editor of the local news outlet.

Local access television: More than 80 percent of all households in the United States are cable-television ready. Each cable company provides its customers with a local access channel used for local city council and school board meetings, local events and activities. Local sister cities programs have a great opportunity to air special events or interview foreign delegations on this channel.

Opposite Editorial (Op-Ed): This is a newspaper page devoted to written material by people not on the paper’s press staff. In local papers, the subject matter usually pertains to a local issue such as the value of sister city programs.

Other techniques to publicize the organization in the local media:

- Letters to the editor
- Public service announcements
- Regular or guest column
- Endorsement articles
- TV/radio appearances
- Editorial board meetings
- Press kits
- Video news release



Publicizing the program through sister city publications

The writing and production of printed materials is a major activity in most publicity campaigns. Unlike using the media to get the message out, the program has total control over what and how it addresses issues in its publications, as well as control over the distribution and the audience.

Types of publications:

Newsletters: A newsletter is a letter that carries news about the organization to its members or people interested in the program. This material should periodically be sent out and should convey news, opinions or other information.

Internet: Publishing news via e-mail and posting program activities on a Web site are effective means through which a sister city program can promote itself and attract members.

Brochures: Brochures are used to give a thorough explanation of one specific subject such as membership in the sister city program. Almost anything that requires considerable detail may be covered.

Leaflets: A leaflet is a single piece of printed-paper. It may be folded into several pages or consist of only one page. Because of their small size and low cost, leaflets are primarily used for notifying, welcoming or informing the public of an event or situation.

Reprints: A popular way to publicize and add credibility to the local program is through reprints of positive news articles covering the program. For years, the entertainment and restaurant industries have reprinted positive quotes and reviews to promote their products in paid advertisements. If a positive story appears in the local newspaper, chances are that the primary audience did not see it. It pays to make reprints of the best publicity material and send them directly to members, political officials, business leaders, prospective members and others.

Other printed material used in local sister city programs includes:

- Board minutes
- Posters
- Return cards
- Annual report
- Postcards
- Fact sheet
- Illustrated cards
- Questionnaire
- Self-mailer



Photos and artwork: Photographs, charts, diagrams, maps, cartoons, clip-art and other illustrations can perform an important role in every publication produced for the sister city program. They add interest, produce variety and often explain things better than words alone can do.

Publicizing the program through community outreach

There are many outlets for the ongoing promotion of the sister city program. The following list highlights a few ways that the members can garner recognition for its sister city program to increase membership recruitment, promote special events and increase local awareness of the program.

Public speaking engagements: Give public speaking opportunities as often as the program can schedule them. This form of publicity reaches specific audiences, while enabling the program to have complete control of its message. When giving a speech, keep in mind the four basic types of speeches: informative, persuasive, entertaining and technical.

Work with other local organizations: Every service club, women's group, political party, labor group, religious unit, association, civic organization, veteran's organization or other group is influential and essential to the program. Each group represents a segment of the community. Make a concerted effort to work with these groups. They can be reached by direct mail, speaking engagements, telephoning their members or interviewing their leaders.

Hold seminars, roundtables and workshops: A very effective way of promoting the activities of the programs is to hold seminars, round tables and workshops. One advantage is that the program has complete control over the program and the audience invited. A properly planned seminar, roundtable or workshop gives the audience worthwhile, practical and timely information and knowledge about the program.

Other successful ways to publicize the sister city program through community outreach:

- Notices in church bulletins
- Notices in other organizational and community newsletters
- Participation in community affairs and events such as panel discussions
- Floats in parades/fair booths/street banners
- Announcements of meetings in town club rosters
- Favors on hospital trays
- Placing the program's newsletter in doctor's and dentist's offices
- Exhibits/displays
- Bumper stickers/lapel pins/T-shirts



EVALUATING PROGRAM PROGRESS

While the local program may be off to a good start, SCI recommends programs take care to avoid the following common pitfalls, which may slow the program's progress.

The program is restricted to City Hall in both cities with the mayor or a city official actually running the affairs of the affiliation: Although working with City Hall is crucial, it is unwise to have the program too closely identified with a single prominent personality. Such affiliations tend to confine themselves to formal exchanges of gifts and occasional visits. Because administrations change, there are no guarantees that the new city official will want to continue a sister city program. It is best to strike a balance and to keep the power split between the mayor's office and the sister city volunteers. (SCI has printed material that suggests ways in which the community and City Hall should be involved.)

The sister city program is run loosely without articles of incorporation, bylaws or membership provisions:

This is inadvisable. In order to have a dynamic program, one in which volunteers are able to participate fully and the community members deem beneficial and regard as officially representing the city internationally, the program needs to have the basic elements of organization.

The sister city program fails to hold regular meetings: In general, a sister city program that cannot design, implement or sustain regular activities cannot represent its community well. Once again, volunteers and community organizations will not be able to participate fully, and the program may not be regarded as an important city organization.

The program with multiple affiliations does not choose an umbrella structure: When committees representing separate affiliations compete for finite community resources, including volunteers, the overall sister city program suffers and loses its singular voice in the community. Further confusion and negative results may be caused by separate committees approaching City Hall for recognition or funding.

Programs rely upon one individual for communication:

Committees that depend on just one of two correspondents in each city run risk of having delays in communication, which can cause significant problems. Faxing and e-mail have proven to be a very secure and cost effective means of communication.

Learning citizen diplomacy

Building your local sister city program, like citizen diplomacy, is not an exact science; no two programs are perfectly alike, just as no two communities are the same. During the past five decades, however, sister city programs nationwide have learned to use citizens' diplomacy to achieve similar results: cross-cultural understanding through long-term partnerships.

In this guide, SCI has offered recommendations, not regulations, for creating and sustaining a successful, grassroots level sister city program. In many cases, fine-tuning a sister city program takes a myriad of meetings,



visits abroad and effective cross-cultural communication, accomplished through the extraordinary efforts, time and flexibility of volunteer members.

SCI strongly encourages each sister city program to tailor this guide to its specific needs, to share this guide with its counterparts abroad and to contact the national office any time for assistance.



APPENDIX A:

SAMPLE ARTICLES OF INCORPORATION

(NAME OF CORPORATION)

OF (Any U.S. City), INC.

Pursuant to (Statutory Citation of Jurisdiction)

We, the undersigned, desiring to form a nonprofit corporation, pursuant to the provisions of (Statutory Citation of jurisdiction), do hereby certify:

1. The name of the corporation is: (Name of Corporation) OF (Any U.S. City), INC.
2. The life of the Corporation shall be perpetual.
3. The objects and purposes for which this Corporation is established shall not be changed and shall be exclusively educational and charitable in the furtherance of such purposes and for no other purposes:
 - a. To cause the people of the City of (U.S. City) and the people of similar cities of foreign nations to acquire a consciousness of each other, to understand one another as individuals, as members of their community, as citizens of their country and as part of the family of nations.
 - b. To foster as a consequence of such knowledge and consciousness, a continuing relationship of mutual concern between the people of the City of (U. S. City) and the people of similar cities of other nations.
 - c. To undertake both in seeking and in consequence of such consciousness and concern any activities and programs as will provide to one another appropriate aid and comfort, education and mutual understanding.
 - d. To participate as an organization in promoting, fostering and publicizing state and national programs of international municipal cooperation organizations, and thereby to encourage other organizations and residents of U.S. communities to engage and participate in such programs, to foster and promote friendly relations and mutual understanding between peoples of U.S. communities and peoples of friendly nations outside of the United States of America and to act as a coordinating body, committee, agency or counsel among those organizations, groups and individuals desiring to and engaging in the activities of such international municipal cooperation organizations.
 - e. Provided that the Corporation shall not in any way, directly, or indirectly, engage in the carrying on of propaganda or otherwise attempt to influence legislation.



4. In order to accomplish its objective, the Corporation shall have the following powers, which shall be deemed to be in furtherance and not in limitation of the general powers conferred upon educational and charitable corporations under the laws of (jurisdiction):
 - a. To receive, acquire, hold, own, manage, administer, invest and reinvest any and all moneys, securities, evidences of indebtedness or other property, real or personal, as may from time to time be given, sold, transferred, rented, conveyed or assigned to it by any person, firm, committee, association or corporation; to take by devise or bequest or otherwise, within the limitations provided by law, any and all property heretofore or hereafter devised or bequeathed by Will, or otherwise, or in any manner granted or conveyed to it; to exercise, in respect to any and all such property, any and all rights, powers and privileges of individual ownership; from time to time to pay, apply or otherwise utilize the principal and income thereof but only for the purposes for which the Corporation is formed.
 - b. To purchase, or otherwise acquire, hold, sell, lease, convey, mortgage or otherwise dispose of real and personal property or any interest therein.
 - c. To cooperate with or engage the services of any person, firm, association, corporation, government or public agency which may assist in carrying out the corporate purposes, and in furtherance of such purposes to grant financial or other voluntary assistance thereto.
 - d. To enter into affiliations, contracts, agreements, undertakings or otherwise within the limitations provided by law.
 - e. To do any and all things which may be necessary or proper in connection with its purposes.
5. The Corporation is not organized for pecuniary profit; it shall not have any power to issue certificates of stock or declare dividends; no part of its net earning shall inure to the benefit of any private member or individual; and no officer, member or employee shall receive or be lawfully entitled to receive any pecuniary profit from the operation of the Corporation, except a reasonable compensation for the services in effecting one or more of its purposes.

Upon the dissolution of the Corporation, the Board of Trustees shall, after paying or making provisions for the payment of all the liabilities of the Corporation, dispose of all the assets of the Corporation exclusively for the purpose of the corporation in such manner, or to such organization or organizations organized and operated exclusively for charitable, educational, religious or scientific purposes as shall at the time qualify as an exempt organization or organizations under section 501 (c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Revenue Law), as the Board of Trustees shall determine. Any such assets not so disposed of shall be disposed of by the court of Common Pleas of the county in which the principal office of the Corporation is then located, exclusively for such purposes or to such organization or organizations, as said court shall determine which are organized and operated exclusively for such purposes.

6. The members of the Corporation shall be composed of such individuals as may be admitted to membership in the manner prescribed by the Bylaws of the Corporation.



7. The Corporation will operate to some extent throughout the world, but its principal operations will be conducted in the United States.
8. The principal office of the Corporation is to be located in (The Jurisdiction of any U.S. City). It may establish such other offices either in or outside of the United States as it may from time to time determine necessary.
9. The number of directors of the Corporation, until the first meeting of the Corporation, shall be (at least) the statutory minimum and the names and addresses of these persons who are to act in the capacity of directors until the selection of their successors are:
 - a. Name Address
10. The Board of Directors of the Corporation shall be elected in the manner prescribed by the Bylaws of the Corporation, and they shall have power to make Bylaws for the government of the Corporation and to alter, change or amend such Bylaws.
11. All the subscribers hereto are of full age and at least (the required statutory number) of them are citizens of the (the Jurisdiction).

IN WITNESS WHEREOF, we have made, subscribed and acknowledged this certificate as of _____ day of _____.

CITY OF _____

STATE OF _____

NOTARY PUBLIC



APPENDIX B: Sample Bylaws

(Name of Corporation) OF (Any U.S. City), Inc.

ARTICLE 1: NAME

Section I. Name:

The name of this organization shall be Sister Cities Association of (name of city), Inc.

ARTICLE II: PURPOSE

Section 1. Purpose:

The purpose of this organization is educational and charitable. The organization's objectives are:

- a) To cause the people of the City of (name of city) and the people of similar cities of foreign nations to acquire a consciousness of each other, to understand one another as individuals, as members of their community, as citizens of their country and as part of the family of nations.
- b) To foster as a consequence of such knowledge and consciousness a continuing relationship of mutual concern between the people of the City of (name of city) and the people of similar cities of other nations.
- c) To undertake both in seeking and in consequence of such consciousness and concern any activities and programs as will provide to one another appropriate aid and comfort, education and mutual understanding.
- d) To participate as an organization in the promoting, fostering and publicizing of local, state and national programs of international municipal cooperation organizations, and thereby to encourage other organizations and residents of U.S. communities to engage and participate in such programs, to foster and promote friendly relations and mutual understanding between peoples of U.S. communities and peoples of friendly nations outside of the United States of America, and to act as a coordinating body, committee or agency among those organizations, groups and individuals desiring to engage and engaging in the activities of such international municipal cooperation organizations.
- e) The Corporation also has such powers as are now or may hereafter be granted by the General Not for Profit Corporation Act of the State of (name of state).

ARTICLE III: MEMBERSHIP

Section 1. Individual Membership:

Membership in the Corporation shall be open to any person of good moral character residing or working in the City of (name of city) and vicinity.

Section 2. Organization Membership:



Organization membership shall be open to any organization or business enterprise in the United States that endorses the purpose of the Corporation. An Organization Member shall designate one official representative to attend meetings and functions of the Corporation, who shall have the rights and privileges of an Individual Member, and who shall be registered annually with the Secretary.

Section 3. Membership Dues:

Any person or organization meeting the requirements of Article III, Section 1 or 2, may be admitted to the membership of this Corporation by acceptance of the membership application by the President and Secretary of the Corporation, and upon payment of the membership dues as determined by the Board of Directors:

Individual \$ _____ Youth \$ _____

Business \$ _____ Sustaining \$ _____

Family \$ _____ Organization \$ _____

Patron \$ _____

ARTICLE IV: MEETINGS

Section 1. Regular Meetings:

A regular meeting of the members shall be held at the office of the Corporation twice annually, on the second Monday of _____ and of _____ each year; the first meeting to be held on the _____, for the purpose of election of a Board of Directors and transacting such other business as may come before the meeting.

Section 2. Notice of Regular Meeting:

The President shall order the Secretary to give members ten days' notice of a regular meeting by mail, stating in such notice the time, place and business to be transacted at said meeting. In case the office of the Secretary be vacant, any director or person designated by the President may mail the notice of meeting to members.

Section 3. Special Meetings:

Special meetings of members may be called at any time by the vote of the majority of the directors or upon petition to the Secretary by one-fifth of the members. At special meetings of the members, only such business as stated in the call for such meeting shall be transacted. The Secretary shall give the members ten days' notice of such meeting by mail therein stating time, place and the business to be transacted at the special meeting.

Section 4. Quorum:

At any meeting of the members, members present in person shall constitute a quorum for all purposes including the election of directors except when otherwise provided by law.



ARTICLE V: BOARD OF DIRECTORS

Section 1. Numbers:

The affairs of the Corporation shall be exercised, conducted and controlled by a Board of Directors consisting of members. At least one director shall be a youth of not more than 21 years of age, to represent the sister cities youth program chapter.

Section 2. Qualifications:

Directors shall be elected from the membership of the Corporation and must continue to be a member in good standing during their term of office.

Section 3. Compensation:

The directors shall receive no compensation or expenses from the Corporation.

Section 4. Term of Office:

The directors shall be elected for a three-year term and each shall hold such office until their successors are elected except that the term of the directors elected at the first membership meeting shall be as follows: one group of one-third of the directors for a term of one year, one group of directors for a two-year term and one group of directors for a three-year term. Directors shall not serve more than (number) consecutive terms. No member shall serve on the board in the same position for more than consecutive elected terms.

Section 5. Election:

The directors shall be elected by the members of the Corporation at the first regular meeting and thereafter, election of directors shall be held at the annual meeting of the members.

Section 6. Vacancies:

Vacancies in the board shall be filled from the membership by a majority vote of the remaining directors and such person filling the vacancy shall hold office until the expiration of the term being filled.

Section 7. Regular Meetings:

The first meeting of the directors shall be held immediately after their election by the members for the purpose of election of officers. The regular meetings of the board shall be held quarterly.

Section 8. Special Meetings:

The President, when he deems necessary, or three members of the board, shall call a special meeting of the Board of Directors and each call for a special meeting shall be in writing, giving ten days' notice to members of the Board and stating the purpose of the meeting.



Section 9. Quorum:

One-third of the Board of Directors shall constitute a quorum.

Section 10. Powers and Duties of Directors: a) The directors shall have the power to conduct, manage and control the affairs and business of the Corporation. b) The directors shall maintain a complete record of all their business transactions, their minutes, acts and proceedings of the members and present a full statement at the regular annual meeting of the members, showing in detail the condition of the affairs of the Corporation. c) The Board of Directors shall have the authority to create and fill the office and the position of executive secretary or executive director.

ARTICLE VI: OFFICERS

Section 1. All officers of the Corporation shall be elected or appointed by the directors from their numbers except as hereinafter provided.

Section 2. Officers of the Corporation shall be the President, a Vice President, a Secretary and a Treasurer.

Section 3. The Mayor of the City of shall, ex-officio, be a member of the Corporation and serve as the honorary chairman of the Corporation, with said membership dues waived.

Section 4. Officers shall receive no compensation as salary from the Corporation, but may receive expenses for special activities in behalf of the Corporation and such special expenses shall be upon vote by the directors.

Section 5. Powers and Duties of Officers:

- a) The President shall preside at all meetings of the directors and members. He shall sign, as President, all certificates of membership and all contracts and other instruments.
- b) The Vice President shall assume the duties of President in his absence and assume such duties assigned to him from time to time by the Board of Directors.
- c) The Secretary shall:
 - 1. Keep records and minutes of all board and membership meetings.
 - 2. Be custodian of the corporate seal.
 - 3. Keep the membership book showing the name of each member and pertinent information relative to each member.
 - 4. Sign, where required, all corporate papers in conjunction with the President.

d) The Treasurer shall:



1. Be the custodian of all funds of the Corporation depositing such funds in banks designated by the Board of Directors.
2. Disburse funds only as prescribed by the directors and in no instance, other than petty cash, except by bank, bearing the signature of either the President or Vice President in addition to that of the Treasurer.

ARTICLE VII: EXECUTIVE COMMITTEE

Section 1. The Executive Committee shall be comprised of the officers and members of the Board of Directors as chosen by the board. The President shall serve as the Chairman of the Executive Committee. Members shall serve for one year, or until their successors are chosen.

Section 2. The Executive Committee shall transact all routine business and shall exercise all powers of the Board of Directors in the interim between its meetings, and shall report all actions to the Board of Directors. One-half of the members of the Executive Committee shall constitute a quorum.

ARTICLE VIII: COMMITTEES

Section 1. Sister City Committees: There shall be a sister city committee for each of the sister cities with which the City of (city name) has a formal relationship. Each committee shall be chaired by an elected representative from within the membership of that committee and shall have the primary responsibility for developing a program with its sister city in furtherance of the purposes established by this Corporation. The President shall serve as ex-officio member of each committee.

Section 2. The President shall appoint a chairman to each of the following committees, with the approval of the Board of Directors: Membership, Public Relations, Fundraising, Municipal Relations Organizational Liaison, Cultural Programs and Exchanges, Trade and Commerce, Professional/Technical, Hosting, Education and Youth Exchange, Youth Chapter Advisor and Liaison with SCL. Each chairman shall serve for one year and may be reappointed by the President for a second year.

(NOTE: Each committee included in your bylaws should be followed by a brief description of its responsibilities.)

Section 3. The President shall have the power to call for the establishment of ad hoc committees for such occasions as the election of officers (nominating committee) and the selection of additional sister cities (city selection committee).

ARTICLE IX: ADMINISTRATION

Section 1. Offices: The Corporation shall have and continuously maintain in the City of (city name), a registered office and a registered agent whose office is identical with such registered office. This office shall be located at (City Hall or another permanent office).

Section 2. Fiscal Year: The fiscal year shall commence on the first day of January.



Section 3. Financial Records: Financial records shall be open for inspection upon the reasonable request of any member. A complete statement of receipts and expenditures shall be presented at the annual meeting.

ARTICLE X: AMENDMENTS

These bylaws may be altered or amended at any annual meeting of the members or at any other meeting called for that purpose, by a vote of a majority of a quorum at a meeting duly called. The written assent of a majority of the membership is effectual to repeal or amend any Bylaws or to adopt additional Bylaws without the necessity of a formal membership meeting.

ADOPTED: _____ AMENDED:

AMENDED AND ADOPTED:

Types of Affiliations

Sister City Relationship

A Sister City relationship is formed when the mayor or highest elected official (or, if elections do not take place, highest appointed official) from a U.S. community and a community in another country or territory sign a formal agreement on behalf of their communities endorsing a **“sister city/sister cities” relationship. Sister city agreements shall be considered active/valid** unless otherwise indicated by one or both of the respective communities.

Sister Cities International shall formally recognize only those relationships by cities/members in good standing (i.e. who are current on membership dues) in its Membership Directory or on its website. However, Sister Cities International shall not assert as invalid or otherwise impugn the legitimacy of those relationships formed by non-members.

Friendship City

A Friendship City or Friendship Cities **relationship is often formed by cities as a “stepping stone” to a more formal “Sister City” agreement. Typically Friendship City agreements are** referred to as such in the formal documents that are signed. Sister Cities International shall recognize Friendship City relationships by members in its Membership Directory and website.

As per Sister Cities International Board of Directors:

Sister Cities International will recognize a new sister cities affiliation between a U.S. and an international community, even though another affiliation may exist between that international community and a different U.S. community, only if a cooperative agreement among all involved communities is filed with Sister Cities International. If a cooperative agreement is denied, or no response to the request is received within a reasonable amount of time, Sister Cities International will recognize the partnership as a *friendship city* and it will be delineated as such with a symbol in the membership directories.

The cooperative agreement *must be sent by* the *Mayor/County Executive/Governor* of the requesting community, and *must be sent to* the *Mayor/County Executive/Governor* of each of the existing partnership communities. Although the *Mayor/County Executive/Governor* may request input from, or may be given input by, the sister cities program, it is up to the discretion of the *Mayor/County Executive/Governor* to sign the cooperative agreement. Although Sister Cities International will help with the cooperative agreement process, it is up to the requesting community to get the agreement signed. **Sister Cities International will not, in any way, force a community to “share” and sign the cooperative agreement.**

To place a relationship into **Emeritus** status, the mayor or highest elected official of the U.S. community must write a letter to the mayor of the foreign city indicating that they wish to remain sister cities, but understand that the relationship will remain inactive until such time as both cities are able to sustain an active relationship. Sister Cities International should be informed in writing by the mayor of the U.S. city of the situation. Sister Cities International will

then place the partnership into Emeritus Status and will reflect this status in directories and all lists of sister city programs.

If a community wishes to **terminate** a sister city relationship, then a letter from the mayor or highest elected official of the U.S. city should be sent to the mayor of the sister city. Sister Cities International should be informed of this action in writing by the mayor of the U.S. city and Sister Cities International will then remove the partnership from its directories and all lists of sister city programs. We do not recommend terminating a relationship simply because it is dormant. Many partnerships wax and wane over the years, and in many cases a dormant partnership may be reinvigorated by local members years after it has been inactive.

General Guidelines

In order for a sister city/county/state partnership to be recognized by Sister Cities International (SCI), the two communities must sign formal documents which clearly endorse the link. This presumes several key items: that the U.S. community is already a member of SCI and has followed proper procedures (e.g. passed a city council resolution declaring the intent to twin with the specific city); that both communities share a mutual commitment to the relationship; and that both have secured the necessary support structure to build a lasting relationship. You should check with your local sister city program to see if they have any additional requirements before pursuing a sister city relationship.

SCI often refers to these agreements as a “Sister City Agreement” or “Memorandum of Understanding.” However, as the following examples show, the actual name and format of your documents is left up to you.

A few things to keep in mind as you draft your agreement:

- **Your agreement can range from the ceremonial, with language focusing on each city’s commitment to fostering understanding, cooperation, and mutual benefit to the precise, with particular areas of interest, specific programs/activities, or more concrete goals related to anything from numbers of exchanges to economic development.**
- **Don’t try to include everything you plan to do. Some specifics, like particular areas of interest or participating institutions are good to include. However, there’s no need to include all the programs you plan to do if it makes the document too lengthy or limits the scope of projects.** This is a formal document to establish the relationship; specific tasks, responsibilities, or other nuts-and-bolts text related to implementation or administration of the partnership can be expressed more fully in a separate memorandum between the respective sister city committees. Your partnership agreement is a historical document and should not be dated or limited by being aligned with very specific tasks.
- Work with your counterparts. Remember that this is signed by both cities. You should share drafts of your agreement with your international partners and solicit feedback on **what they’d like to see in the agreement. Be flexible to cultural or municipal priorities.**
- Ask your counterparts to translate the agreement if it is drafted in English. It is important for the citizens of your partner community to be able to read and understand the commitment their city has made. Have someone in your own community who



speaks that language check the foreign-language version to make sure it mirrors what you have in your own agreement.

- Keep it to one page. Ceremonial documents such as these partnership agreements work best if they can be posted in their entirety.
- Most sister city agreements include some acknowledgement of the founding principles of the sister city movement—to promote peace through mutual respect, understanding, and cooperation.
- Consider using official letterhead and/or other embellishments such as city seals or logos to reflect your enhance the document. Sister city agreements are often posted at city hall or other municipal offices and should reflect their historical importance
- Look at other agreements your city has signed. These agreements may give you an idea of what is acceptable or possible, and they may be in an easily replicable format. If you cannot access older agreements please contact Sister Cities International, we may have them on file, although we do not have copies of all partnership agreements.
- Documents must be signed by the top elected official of both communities.
- Check with your mayor, city council, town clerk, et al. to make sure that the agreement is OK with them. The mayor is the one putting his or her name on the paper, and you **don't want to spend time developing an agreement which will never be signed.**
- Official documents are usually signed during a formal ceremony recognizing the partnership. Be sure both communities receive a signed set of the official documents for their records.
- Remember to send your signed agreement to Sister Cities International. After we receive your agreement we will post the relationship in the City Directory and make sure it is included in our Annual Membership Directory.

Remember that each city's sister city program is independent and can impose requirements like the establishment of a committee, a review period, sustainability/funding plan, among others, before sanctioning a sister city agreement. Check with your local program or mayor's office to see if this is the case.

On the following pages you'll find a series of partnership agreements to give you an idea of what is possible. While you should feel free to use some of the formatting and language, we encourage you to make your agreement your own and be creative with what you produce. If you are unsure about your agreement or want advice you can always solicit feedback by sending it to our Membership Director at akaplan@sister-cities.org or contacting us at (202) 347-8630.



SisterCities
INTERNATIONAL

Connect globally. Thrive locally.

Partnership Agreement Toolkit



دائرة بلدية أبوظبي وتخطيط المدن
ABU DHABI MUNICIPALITY & TOWN PLANNING

**AN AGREEMENT FOR THE ESTABLISHMENT OF
SISTER CITIES RELATIONSHIP
BETWEEN
THE CITY OF ABU DHABI (U. A.E)
AND
HOUSTON , TEXAS (U.S.A)**

The Sister City Program, administered by Sister Cities International, was initiated By the President of the United States of America in 1956 to encourage greater Friendship and understanding between the United States and other nations through Direct personal contact; and

In order to foster those goals, the people of Abu Dhabi and Houston, in a gesture of Friendship and goodwill, agree to collaborate for the mutual benefit of their Communities by exploring education, economic and cultural opportunities.

Abu Dhabi and Houston, sharing a common interest in energy , technology and medicine, and the desire to promote mutual understanding among our citizens do hereby proclaim themselves Sister Cities beginning on the 13th day of March 2001, the date of Houston City Council resolution establishing the Sister City relationship became effective.

Signed on this 26 of October 2002, in duplicate in the Arabic and English Languages, both text being equally authentic.

Sheikh Mohammed bin Butti Al Hamed
Chairman of Abu Dhabi Municipality
& Town Planning

Lee P. Brown
Mayor of Houston



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

THE NEW YORK CITY-LONDON SISTER CITY PARTNERSHIP Memorandum of Understanding

The Sister City partnership between New York City and London will foster mutually beneficial solutions to common challenges for these two great cosmopolitan entities. Consequently, the Sister City relationship between the two will be one of the most important in their network of global partnerships, as it strives to:

- Encourage and publicize existing exchanges between London and New York City so that they can flourish to benefit a wider cross-section of the citizens of both;
- Support and promote the development of new social, economic, academic and community programs to encourage both cities' citizens to share their experiences as a medium for learning from one another;
- Generate an improvement of the operation of the cities' various government agencies by serving as a conduit of information;
- Identify themes, common to both, that can generate new initiatives to further and nurture the increasingly powerful financial, social and cultural relationships between the cities;
- Promote key mayoral priorities relevant to both London and New York City;
- Provide financial or in kind support to community-led programs that advance the aims of the Sister City partnership;

With the above purposes in mind, the Mayor of the City of New York and the Mayor of London solemnly confirm that these two cities are united by an official partnership by the protocol of this Memorandum of Understanding.

This agreement will go into effect from the date of signatures.

Signed in March of 2001

Rudolph W. Giuliani
Mayor
New York City

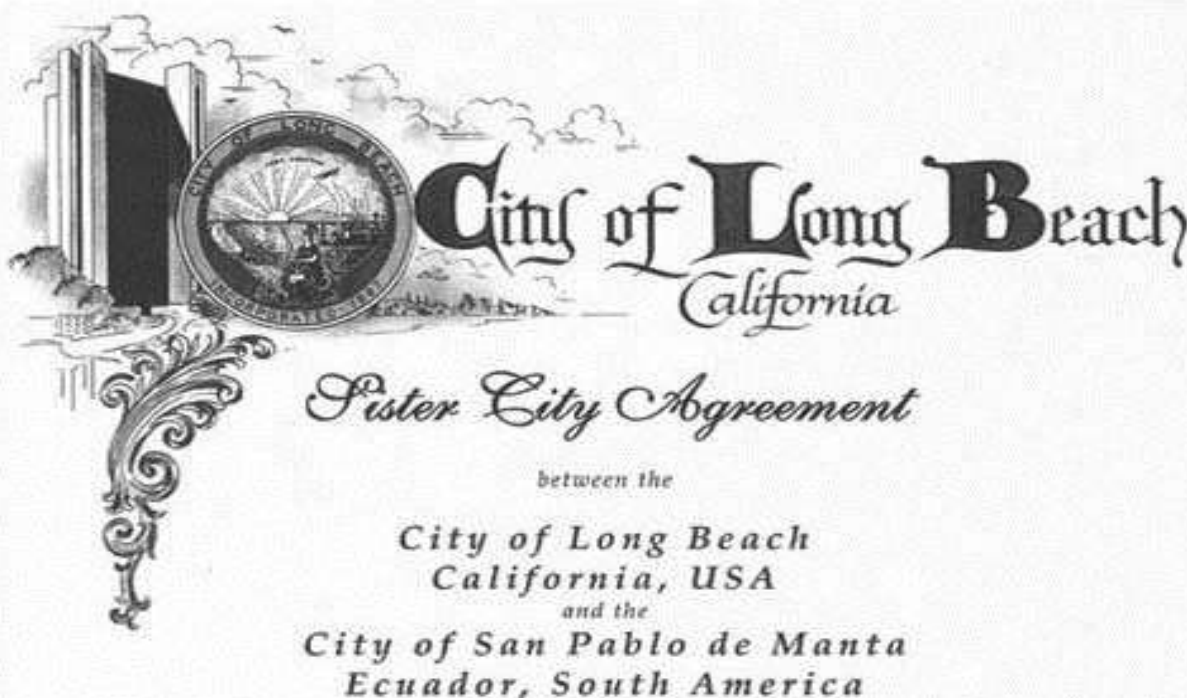
Ken Livingstone
Mayor
London



SisterCities
INTERNATIONAL

Connect globally. Thrive locally.

Partnership Agreement Toolkit

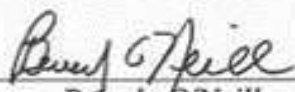


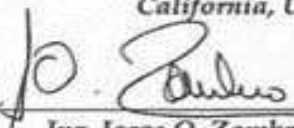
In accordance with the authorization and approval expressed by the City of Long Beach, California, USA, and the City of San Pablo de Manta, Ecuador, South America, it is declared that a "Sister City Agreement" between the two cities is hereby established for the following purposes:

- (1) to promote and expand the effective and mutually beneficial cooperation between the people of Long Beach and the people of San Pablo de Manta; and
- (2) to promote international goodwill, understanding, and expanded business relations between the two cities and their respective nations by the exchange of people, ideas, and information in a wide variety of economic, social, cultural, municipal, environmental, professional, technical, youth, and other endeavors; and
- (3) to foster and encourage charitable, scientific, trade and commerce, literary and educational activities between the two cities;

This Sister City Agreement shall be officially established and shall become effective when this document has been duly executed by the Mayor of Long Beach, California, USA, and the Mayor of San Pablo de Manta, Ecuador, South America.




Beverly O'Neill
Mayor, City of Long Beach
California, USA


Ing. Jorge O. Zambrano Cedeño
Mayor, City of San Pablo de Manta
Ecuador, South America

Dated: September 19, 2000



REAFFIRMATION OF SISTER CITIES DECLARATION

adopted by

THE HONORABLE RICHARD M. DALEY
MAYOR OF CHICAGO

and

THE HONORABLE ZHANG RONGMAO
MAYOR OF SHENYANG

ON

JUNE 5, 1995

On this the tenth anniversary of the signing of a sister city agreement, in order to further the traditional links of friendship between Chicago and Shenyang and to reaffirm their mutual aspiration to work in unison for the benefit of their cities and nations, the Honorable Mayor Richard M. Daley, Mayor of the City of Chicago, and the Honorable Zhang Rongmao, Mayor of the City of Shenyang, on this fifth day of June 1995, do hereby acknowledge and reaffirm the sister cities agreement between the City of Chicago and the City of Shenyang.

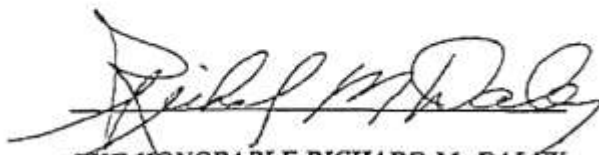
The City of Chicago and the City of Shenyang on the basis of friendly cooperation, equality and mutual benefit will continue to develop a sister cities relationship to promote and broaden economic cooperation and cultural exchanges between the two cities.

The two cities do hereby declare their interest in exploring the establishment of business and trade relations between Chicago and Shenyang.

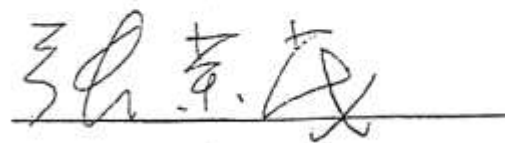
In addition, exchanges will be promoted in the area of the arts such as exhibits, music, dance and other cultural activities.

In addition, exchanges will be promoted in education and the establishment of contacts within educational institutions encouraged.

In addition, we declare our intention to promote exchanges in such fields as science and technology, sports, health, youth and any areas that will contribute to the prosperity and the further development of friendship between the people of our two cities.



THE HONORABLE RICHARD M. DALEY
MAYOR OF CHICAGO



THE HONORABLE ZHANG RONGMAO
MAYOR OF SHENYANG



ADMINISTRATIVE REPORT

A. 11.5.
AGENDA
ITEM: F-9
MTG.
DATE: 11-2-92

TO: Mayor and Members of the City Council
FROM: James G. Marshall, City Manager
DATE: October 28, 1992
SUBJECT: Proposed Sister Cities Program - Policies and Procedures

RECOMMENDATION:

Approve the attached proposed Sister Cities Program Policies and Procedures as recommended by the Sister City Formation Study Group.

POSSIBLE CITY COUNCIL ACTIONS

1. Approve, as recommended by the Sister City Formation Study Group; or,
2. Return to the Sister City Formation Study Group for further study and/or clarification (action to be specified in City Council motion); or,
3. Continue action to a future City Council meeting (date and time to be specified in City Council motion); or
4. Deny the recommended action.

AUTHORITY

The City Council has the authority to appoint ad hoc committees for review of specific issues; and, to act upon proposed policies and procedures that may be recommended from time to time.

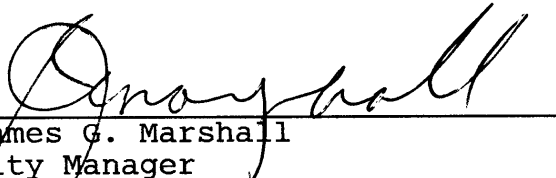
DISCUSSION

On August 3, 1992, the City Council appointed an 11 member Sister City Formation Study Group. The study group was charged with developing a Sister Cities Program Policies and Procedures. Attached you will find the proposed Sister Cities Program Policies and Procedures developed after model guidelines prepared by Sister Cities International.

Mayor and Members of the City Council
10/28/92
Page 2

The study group met on five separate occasions and complied with the 60 day time frame established by the City Council for completing this project. The study group was comprised of the following members: Arlene Bartholome, Elaine Riggs, Wayne Hein, David Hetland, Betty Stewart, Gregory Rienzo, Anna Bolling, Joseph Lara, Evelyn Honeysett, Allen Ridge and C. W. Hollandsworth. Dora Davidson also assisted the group in their efforts.

Staff concurs with the recommendation proposed by the Sister City Formation Study Group.



James G. Marshall
City Manager
JGM/dd

Attachment

PROPOSED
CITY OF MERCED SISTER CITIES PROGRAM
POLICIES AND PROCEDURES
OCTOBER 1992

I. Sister Cities Executive Committee

The purpose of the Executive Committee shall be to:

- A. Foster and promote friendly relations and understanding between and among the City of Merced, the peoples and communities of the United States and other countries;
- B. Further economic cooperation and cultural exchange;
- C. Develop, compile and exchange information with officials and citizens of foreign countries;
- D. Plan, develop and implement business, economic and cultural activities with officials and citizens of foreign communities;
- E. Cultivate mutual understanding of respective economic problems and cultural development experienced by people and communities of the United States and foreign nations;
- F. Screen and evaluate requests for Sister Cities affiliations;
- G. Coordinate projects and activities proposed by active Sister City Committees;
- H. Review policies and procedures a minimum of every five years;
- I. Approve all fundraising efforts 30 days in advance of fundraising activities.

II. Composition of the Executive Committee

The City Council of Merced shall appoint the Chair for the Sister Cities Executive Committee.

The Chairperson of each currently active individual Sister Cities Committee shall be appointed to sit on the Sister Cities Executive Committee and be confirmed in writing by the Chair of the Executive Committee and the City Council. Other officers of the Executive Committee will be selected by the Chair and the Chairpersons of the existing Sister City Committees. Such appointments shall be confirmed in writing by the Chair of the Executive Committee. Provisions may also be made for officers-at-large.

Officers of the Executive Committee shall include the following:

- Chair
- Vice Chair
- Treasurer
- Secretary
- Chairperson(s) Sister Cities Committee
- Officer(s)-at-large (may include media, Festival of Cultures representative, etc.)

The Executive Committee Chair shall serve as leader and spokesperson for the Executive Committee and chair all meetings. The Executive Committee shall provide general policy and program direction for the City of Merced's Sister Cities effort and have the responsibility to review and recommend the creation and maintenance of individual Sister Cities relationships, subject to the approval by resolution of the Merced City Council.

The Vice Chair shall assume the duties of the Chair in his/her absence. The Vice-Chair shall also assist the Chair in policy and program development.

The Treasurer shall prepare financial reports as required, including quarterly statements of the financial activity of the Executive Committee, and an annual financial report submitted by the Treasurer of each Sister City Committee. Note that the Treasurer is not in charge of fundraising, but shall receive and disburse funds for joint Sister City activities as directed by the Executive Committee.

The Secretary shall notify all Executive Committee Members of meetings, compile the agenda and keep accurate minutes of Executive Committee proceedings for distribution to the Mayor of the City of Merced. The Secretary shall also coordinate internal communications and correspondence relating to the activities of the Executive Committee and, in conjunction with the Chairperson, prepare an Annual Activity Report of the City of Merced Sister Cities Program, the distribution of which shall include Sister Cities International.

City Council members are ex-officio members of the Sister Cities Executive Committee.

III. Meetings of the Executive Committee

The Executive Committee shall meet quarterly. Special meetings may be called by the Chairperson or by written notice to the Chairperson by a majority of the Executive Committee Members.

IV. Committees of the Executive Committee

The Executive Committee may, from time-to-time, form any or all of the following committees:

- Arts and Cultural Exchange
- Budget and Finance
- Education and Academic Relations
- Economic and Trade Relations
- Fundraising (not chaired by Treasurer)
- Government Relations
- Hospitality and Logistics
- Membership and Community Support
- Nominations and Appointments
- Organizational Relations
- Planning
- Professional and Technical Exchange
- Public Relations and Communications
- Sports
- Translators and Interpreters
- Youth Activities

These committees shall be composed of a Chairperson from the Sister Cities Executive Committee and appropriate counterparts from the respective individual Sister City Committees.

V. Establishment and Maintenance of Sister Cities Relationships

Each Sister City Committee shall be responsible for its portion of the total Sister Cities International Program, with the advice and consent of the Executive Committee. For the creation and maintenance of a Sister City relationship, the following requirements must be met by the individual Sister City Committees.

- A. Form and maintain an active, broadly representative group of at least five persons which shall be ratified as a "City of Merced Sister Cities Committee" by a majority vote of the Executive Committee at such time as the Executive Committee deems appropriate. Until a joint resolution of both of the participating cities is approved by the City Council, Sister City Committee shall be known as "Candidate Sister City Committee." The Chair of each Sister City Committee shall appoint individual members to that committee who shall also be ratified by the Executive Committee.

Individual committees may, at their option, establish both a dues structure to cover administrative and operational expenses not otherwise funded and/or any auxiliary organization(s) which they deem beneficial in furthering their missions and goals as a Sister City insofar as these activities are in accord with the Sister Cities Program Mission.

- B. Demonstrate in writing that a developed and committed relationship exists with the prospective international Sister City to ensure that the relationship is and remains effective, reciprocal and sustaining. This documentation must include evidence of the existence of an active counterpart organization in the foreign city and a statement of the benefits of the relationship in the following areas - Trade/Economic Development, Technical Exchange, Research and Development, Academic Exchange, Arts/Culture, Sports and Tourism/Citizen Exchange.
- C. Establish written mission statements, goals, objectives and work plan to include development and implementation of exchange programs in trade, education, cultural arts, and other areas of mutual beneficial interest to the participating Sister Cities.
- D. Petition for and obtain the written endorsement of the Sister Cities Executive Committee and City Council of Merced. Following Executive Committee approval, joint resolutions formally establishing the relationship must be obtained from the officially designated governing bodies of the two participating Sister Cities.
- E. File copies of both resolutions with the officially designated keeper of municipal records in the participating cities and secure written approval for the relationship from Sister Cities International in Alexandria, Virginia.
- F. Hold at least four meetings per year and submit agendas and minutes for these meetings to the Secretary of the Executive Committee for appropriate distribution.
- G. Submit annual activity, financial and work plan reports in June of each year for review by the Sister Cities Executive Committee. During the June review, the Sister Cities Executive Committee shall assess the individual Sister City Committee's effectiveness and accomplishments over the past twelve months and make recommendations to the City Council of the City of Merced concerning the committee's future activities.
- H. Coordinate funding received from the City of Merced and external fundraising efforts in an amount which supports ongoing and future exchange activities, as established in the individual Sister City Committee's Work Plan.
- I. Coordinate one or more exchange(s) per year in any of the categories listed in Section V., B. above unless released from such activity by the City Council of the City of Merced.

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- J. Initiate and maintain regular and sustained communication and correspondence with their counterpart organization in the foreign Sister City. A newsletter is also suggested.
- K. Maintain active representation on the Sister Cities Executive Committee.

VI. Deactivation of Sister City Relationships

Failure to meet any of the criteria listed in Section V. above may result in the deactivation of a Sister City relationship, as outlined below.

A. Administrative Deactivation

Should failure to meet the given criteria continue for a period of one calendar year, the City of Merced may withdraw formal support of the Sister Cities relationship, including, but not limited to cessation of staff, service, facility, financial and/or in-kind support for the individual Sister City Committee's activities, projects, programs and/or routine business. The Sister Cities Executive Committee may recommend such actions to the City Council.

B. Formal Deactivation

Should failure to meet the criteria continue for a period of three calendar years, notices shall be sent to Sister Cities International that the City of Merced wishes to formally deactivate the relationship and drop the program from Sister Cities International's rolls.

The Executive Committee may, at its option recommend any of the above deactivation procedures, Section VI., A. or B., at any time.

VII. Credentials

Individuals participating in the Sister Cities Program shall have no credentials until their membership is ratified by the City Council.

All visits to foreign Sister Cities and/or any Sister Cities events conducted in the name of the City of Merced shall be planned, coordinated and funded by the appropriate Sister City Committee(s) and coordinated in advance with the Executive Committee and the City Council, including the content of any gifts, presentations, etc.

Any resident purporting to represent the City of Merced in a Sister Cities event must have the appropriate credentials in advance of such representation. The City Council shall sign the credentials for the City of Merced as author and guarantor of such credentials. No commitments or other

representations shall be made on behalf of the City of Merced in the absence of such credentials.

VIII. Funding of Sister Cities Program Activities

The City of Merced will consider annually during the budget process funds to cover the expenses of approved Sister Cities relationships.

- A. The City of Merced shall remit to Sister Cities International the membership dues needed to remain in good standing with said organization, in accordance with the membership criteria of Sister Cities International. These dues shall be paid from the cost center designated as that from which all citywide memberships are paid. Membership in other potentially related organizations shall be borne by the various individual Sister City Committees, either individually or aggregate.
- B. The City of Merced may, at its option, from time-to-time, appropriate funds for the purpose of financing the participation of the Mayor and/or his/her designee, and other members of the Sister Cities Executive Committee and representative(s) from the individual Sister City Committees, in an active or pending Sister City relationship in a manner consistent with the norms of protocol. While these funds may be augmented via private donations, fundraising events or other activities, such extra monies shall be maintained in a separate account to be administered by the Executive Committee.
- C. The City of Merced may provide staff and volunteer support to the Executive Committee and the Sister Cities Program as a function of prevailing budgetary and personnel conditions.

Beyond the terms listed above, all other expenses of the establishment and maintenance of Sister Cities relationships, including financial support of the participation of the Mayor or a Council Member in a foreign visit when requested and approved by the Executive Committee, shall be reviewed by the City Council of the City of Merced.

IX. Status of Currently Approved Sister Cities Relationships:

- A. Albury, Australia (1992) Active.
- B. Somoto, Nicaragua (1992) Active.