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MERCED

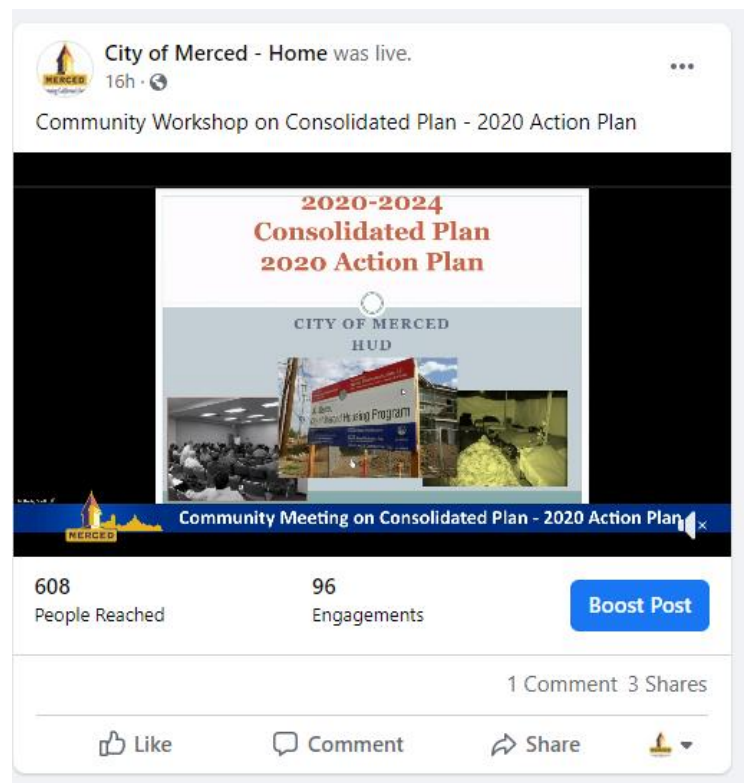
To: The Honorable Mayor and City Council
From: Stephanie R. Dietz, Interim City Manager
Date: October 2, 2020
Re: City Council Information Report

HUD CONSOLIDATED PLAN COMMUNITY OUTREACH

Housing staff held two virtual community meetings on Sept. 24 and 30 regarding the Consolidated Plan and Annual Action Plan. These are requirements of Housing and Urban Development (HUD) since the City is an entitlement community and receives annual funding directly from HUD.

There were over 40 people involved in each meeting. Input was provided at the meetings on various housing issues that will now be incorporated into the Assessment of Impediments portion of the plan.

The revised plan will be posted for public comment starting in early October. The public comment period will end in early November. Two public hearings will be scheduled with the City Council. The dates are Oct. 19 and Nov. 16.



ENGINEERING UPDATE

Water Well site #20

The Clark Bros., Inc., crew is working on the electrical systems in the building. This project is approximately 70% complete.



Brimmer Water Main

The Mid Cal Pipeline & Utilities, Inc., crew is saw cutting the road to install a waterline. This project is 5% complete.



Lab Building & Solid Handling Building Restrooms

The Daguerre Construction crew is installing dry wall on the restrooms. The project is approximately 10%.



Upcoming Construction Projects (Council Award Date)

1. 117020 – Gerard ave. Sewer Main Hwy 99 to Kibby Road (10/19)
2. 119006 – Alpine Drive – G St. to Wainwright Ave. Improvements (10/19)
3. 119003 – R St. Rehabilitation Loughborough Dr. to Buena Vista Dr. (10/19)
4. 120008 – Crack Filling Phase 1 (16th, G St, Olive Ave)

Projects in Design

1. Highway 59 Widening (9/24)
2. Highway 59 and 16th Street Signal and Channelization (90%)
3. Motel Drive Multi-Use Path (100%)
4. V Street, 16th to 18th Streets, Road Improvement (90%)
5. N Street, 16th to 18th Streets, Roadway Improvement (100%)
6. R Street, 16th to 18th (40%)
7. B Street Improvements (30%)



BIG DONATION FROM SUNRISE ROTARY

A collaborative effort between the Merced Sunrise Rotary President Douglas Forte, (left to right) Merced Field of Honor Co-Chairs Michael Pavlovich and Sara Fleszar, Merced Sunrise Rotarian and Fire Captain Dewayne Young; (not pictured) Fire Chief Billy Alcorn and Fire Battalion Chief Brunelli (not pictured) has culminated in the Merced Sunrise Rotary donating \$16,000 for the acquisition of a LUCAS Chest Compression System device to make CPR more effective to help save lives, boost rescuer comfort and safety. Also on hand to thank the Rotary was Interim City Manager Stephanie Dietz, right.

MCAG NEWSLETTER

Please find attached the Merced Association of Governments newsletter for October.

NATIONAL FIRST RESPONDERS WEEK!



THE MERCED STARBUCKS PARTNERS WOULD LIKE TO INVITE
YOU TO JOIN US FOR A CUP OF COFFEE, SWEET TREATS, AND
A RAFFLE

*OCTOBER 7TH @
STARBUCKS ON MLK & 16TH STREET
FROM 9 AM-11 AM*



DART RESPONDS TO Q STREET CALL

On Oct. 1 the Merced Police Department received complaints of transients trespassing, loitering, drinking in public and vandalizing business properties near the 1600 block of Q St. in Merced. Disruptive Area Response Team (DART) officers responded to the area and cited several transients for various violations and removed garbage from the location. This is one of several clean ups that DART has completed in the past month.



HAPPY RETIREMENT

Officer Miguel Gallegos, #110, is retiring after 22 years of service to the Merced Police Department and the citizens of Merced. Officer Gallegos came to the City of Merced in 1998, after serving 8 years in the U.S. Marine Reserve. During his time as a Marine, he served in Operation Desert Storm, deploying to Saudi Arabia and Kuwait. At the Merced Police Department, Officer Gallegos served as a Field Training Officer for 13 years and he was on the Crisis Negotiations Team for 5 years. Thank you for your 22 years of service. Enjoy your well-deserved retirement!



CADET INTERVIEWED ON CHALLENGES IN CAREER AHEAD

Here is a link to an article featuring one of the Merced Police Department's cadets, Marissa Bolanos.

GV Wire recorded an interview with her at the Fresno Police Academy regarding the struggles of pursuing a career in law enforcement. Bolanos has been doing great in the class and is well liked by her instructors. She comes to us from the Fresno area and possesses an Associate's Degree and a Bachelor's degree in Business Management. She is the first in her family to pursue a career in law enforcement.



This is a challenging time to start a career in law enforcement but she does not let the adversity dissuade her from her goal of helping people. A PDF with her comments is attached, and the link to the entire story is below.

<https://gvwire.com/2020/09/03/as-police-departments-struggle-to-find-officers-some-cadets-exit-fresno-police-academy/>

NEW TO THE POLICE DEPARTMENT



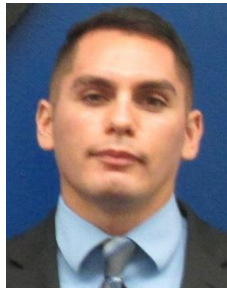
BRANDON HOLDER

Brandon, a police officer trainee, was born and raised in Cressey. He worked as a first responder for Riggs. His hobbies include hunting and fishing.



MITCHELL KING

Mitchell, a police officer trainee, was born and raised in the Merced/Atwater area. He has always wanted a career in law enforcement and to be an officer like his dad, Cpt. Don King.



DAVID FLORES

David, a police officer trainee, was born and raised in Merced. He spent five years in the Marine Corps and then worked at the Atwater prison. He has wanted to be an officer and follow in the footsteps of his older brother, Fernando Flores.



DILPREET SINGH

Dilpreet, a police dispatcher, was born in India and moved to Livingston at the age of 13 where he attended middle school and high school. He is currently attending CSU Stanislaus where he is majoring in business with a concentration in operations.

WEEDS REMOVED AROUND BELLEVUE RANCH

The weeds in the Bellevue Ranch area along M Street, Cardella Road and Bancroft Drive were removed this week, the Public Works Department reports.



HIGHWAY 59 CLOSURES CONTINUE

The closure of the southbound lane of Highway 59 between W. Olive Avenue and Cooper Avenue will continue Sun., Oct. 4, through Thurs., Oct. 8, from 10 p.m. to 6 a.m. See the attached news release.

PLANNING COMMISSION MEETING

Please see the attached agenda for the Planning Commission meeting for Oct. 7.

SAVE THE DATE

Oct. 5 – Council meeting

Oct. 7 – First Responders Day, Starbucks, 9-11 am, MLK and 16th St.

Oct. 19 – Council meeting

REPORTS & CORRESPONDENCE

- | | |
|---------------------------------|--------|
| 1. MCAG newsletter | Pg. 11 |
| 2. Police cadet interviewed | Pg. 18 |
| 3. Hwy. 59 closure news release | Pg. 20 |
| 4. Planning Commission agenda | Pg. 21 |



369 W. 18th Street
 Merced, CA 95340
 (209)723-3153
www.mcagov.org

MERCED COUNTY ASSOCIATION OF GOVERNMENTS

OCTOBER 2020

**YARTS BEGINS WINTER SERVICE
 ON HIGHWAY 140**

The Yosemite Area Regional Transportation System (YARTS) will transition to a winter schedule on October 1, 2020 for the service running on the Highway 140 corridor from Merced and Mariposa to Yosemite National Park. The Highway 140 line operates year-round but fluctuates the number of runs to and from the Park when the seasons change. Other YARTS routes into Yosemite are seasonal in nature and operate only in the summer months. This includes the service along Highway 120 from Sonora which ends September 30, as well as the service along the Highway 395/120 corridor from Mammoth Lakes which will finish for the year on October 15th. The summer service between Fresno and Yosemite on Highway 41 concluded early this year due to area wildfires in early September.

The YARTS 2020 summer service was abbreviated due to a late start caused by the COVID-19 shutdown which resulted in the temporary closure of Yosemite. YARTS' summer service will resume from Sonora and Fresno in May 2021 and the route into Mammoth Lakes will resume in June 2021.

In response to the COVID-19 pandemic, YARTS has made several operational adjustments to increase the safety of passengers that continue to be in effect. In addition to increased sanitation measures, all passengers are required to wear face masks when riding YARTS. In order to promote social distancing, capacity on all buses is limited to a maximum of 30 passengers. With most of the 30 seats able to be reserved in advance, there is very limited space for walk-on passengers. Therefore, reservations are highly encouraged.

Reservations can be made for YARTS tickets on the YARTS website at: www.yarts.com. There are no additional charges to get into Yosemite beyond the YARTS fare, and passengers do not have to have a day-use permit issued by the National Park Service to ride. For more information about YARTS schedules, routes, COVID-19 safety measures, or to book tickets, please visit www.yarts.com or call (877) 989-2787.



**MCAG TO HOLD VIRTUAL UNMET
 TRANSIT NEEDS PUBLIC HEARINGS**

The MCAG Social Services Transportation Advisory Council is holding a virtual public forum to seek input from residents and discuss the future of bus service in the region. The virtual public hearing is scheduled to receive testimony from community residents on unmet transit needs that may exist within the current bus system. Zoom details are listed below. This hearing is a part of the ongoing commitment to improve the overall transit system and provide effective bus service to the greatest number of people in Merced County.

Live Hearing via Zoom
Thursday, October 8, 2020
6:00 p.m.
<https://zoom.us/join>
Meeting ID: 846 4379 1648
Passcode: 36918
Join by Phone: (669) 900-6833

Spanish interpretation services will be available at the hearing via the Zoom app only (not available via phone). For additional language accommodations, contact Eva Garibay at (209) 723-3153 x 108 or eva.garibay@mcagov.org. Residents who are unable to attend the virtual hearing but would like to provide comments may use the online survey: www.mcagov.org/UnmetTransitNeeds or contact Natalia Austin via email at natalia.austin@mcagov.org or phone at 209.723.3153 ext. 127.

MCAG OCTOBER MEETINGS & MERCED COUNTY EVENTS

- 10/02** CAC Meeting, Cancelled
- 10/03** City of Dos Palos Community Clean-up, 8:00 am - 12:00 pm
- 10/08** Unmet Transit Needs Hearing, 6:00 pm
- 10/10** City of Gustine Tire & Mattress Collection, 8:00 am - 12:00 pm, (209) 854-6471
- 10/14** Technical Review Board meeting, 12:00 pm
- 10/15** Governing Board meeting, 3:00 pm
- 10/17** HHW Event, Highway 59, 8:00 am - 12:00 pm
- 10/24** City of Gustine E-waste/Recycling Collection, 9:00 am - 1:00 pm, (209) 854-6471

Please note: All MCAG meetings will be held via video/audio conference until further notice. The call-in number and passcode will be located on the cover of each agenda. To access the agendas for the meetings listed, please visit:

www.mcagov.org/agendacenter

For more information about these meetings, please contact Eva Garibay at: eva.garibay@mcagov.org



HIGHWAY 59 LANDFILL

7040 N. Highway 59
Merced, CA 95348
Phone: 209-723-4481

Monday - Saturday
7:00 am - 3:30 pm

BILLY WRIGHT LANDFILL

17173 S Billy Wright Road
Los Banos, CA 95348
Phone: 209-826-1163

Monday - Saturday:
7:00 am - 3:30 pm

For more information about Regional Waste Authority please visit: www.mcrwma.org

STAY CONNECTED WITH US!

To receive text and/or email notifications from MCAG related to public meetings, traffic alerts, RFP releases, job opportunities, and more, visit www.mcagov.org and click on the "Notify Me" icon. You can also follow us on Twitter, Facebook, Instagram, LinkedIn and YouTube!



RWA TO HOST HHW EVENT AT THE HIGHWAY 59 LANDFILL

The Merced County Regional Waste Management Authority (RWA) is hosting a Household Hazardous Waste (HHW)



event on Saturday, October 17, 2020 from 8:00 am to 12:00 pm at the Merced landfill located at 7040 North Highway 59.

There is no cost to dispose of HHW for residents within Merced County and discounted rates will apply to businesses. Before bringing items to the facility, please call Clean Harbors at 916-396-1505 to identify the amount and type of HHW items that will be dropped off. Please note, under State of California transportation regulations, there are quantity limitations on how much HHW can be brought to the landfill at one time; please contact Clean Harbors for details.

Household Hazardous Waste is any household product that contains ingredients that are corrosive, reactive, flammable, and/or toxic. Some examples of HHW are ammonia-based cleaners, fluorescent tubes, car batteries, paint, and used motor oil. Items commonly found in homes that cannot be brought to the landfill at any other time except HHW collection days include wet chlorine tablets, full or partially full aerosol containers, and lithium-ion batteries that have started to bulge or become hot. This kind of battery is found inside rechargeable devices such as cordless tools, mobile phones, laptops, cameras, and children's shoes, and should be brought to the landfill in the item it is powering.

Please note, when attending the HHW event or visiting the landfill, we ask that you continue to practice social distancing and wear a mask in accordance with CDC guidelines.

For more information on types of HHW or what quantities will be accepted at the landfill, please visit www.mcrwma.org/31/Household-Hazardous-Waste or call the Regional Waste Authority at (209) 723-4481.

Measure V

OCTOBER 2020 - UPDATE

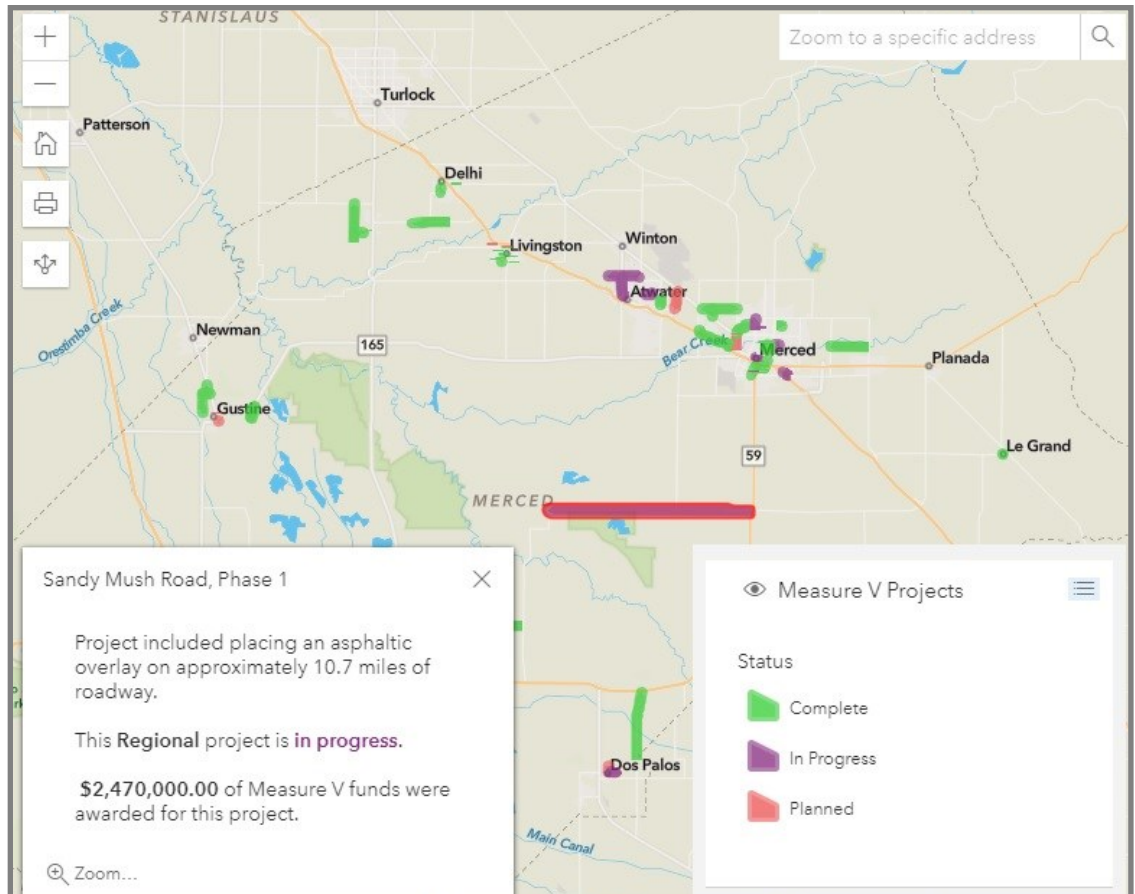
Measure V, Merced County's ½ cent transportation sales tax, was passed by Merced County voters with 71% approval in November 2016. In an effort to keep the community informed about this transformative 30 year measure, MCAG will feature monthly updates in this newsletter. You can also visit www.mcagov.org/measureV for the latest!

The 30-year Measure, which commenced in April of 2017, allocates 50% of all its revenue to the cities of Merced, Los Banos, Gustine, Atwater, Livingston and Dos Palos, along with the County of Merced,

to pay for local transportation projects including roads, bike paths, and sidewalks. Regional transportation projects located on both the east and west sides of the county receive 44% of the funding with five percent reserved for public transit purposes. MCAG receives one percent of the monies to administer all fiduciary and reporting requirements.

MCAG recently launched a new interactive Measure V projects map. The new interactive map is the destination for information on completed, in progress, and planned Measure V projects throughout Merced County. Information includes status, location of and Measure V Funds awarded to specific projects. The map was developed by MCAG staff using quarterly expenditure reports submitted by each of the member jurisdictions as well as the Measure V Implementation Plan. The interactive tool features a responsive design that adapts the layout for mobile, tablet, and desktop users, ensuring an optimized viewing experience across all devices. Staff will continue to refine and make improvements to the interactive map webpage as more information on projects becomes available. Let us know if you have any trouble using the page or if you have suggestions on how we can improve it.

Visit www.mcagov.org/MeasureV to check out the map and find out more about the projects in your area!



CONTACT:

Mary-Michal Rawling, MPA, Public Affairs Manager
(209) 723-3153 x119 or mary-michal.rawling@mcagov.org



OCT
17

HAZARDOUS MATERIALS
HOUSEHOLD HAZARDOUS WASTE
COLLECTION EVENT

HIGHWAY 59 LANDFILL
7040 N HIGHWAY 59
MERCED, CA 95348

8:00 AM - 12:00 PM



YARD

INSECT SPRAY • PESTICIDES
FERTILIZERS • WEED KILLERS
HERBICIDES • POOL CHEMICALS
BAIT OR POISON FOR RODENTS



HOME

BATTERIES • AEROSOL CANS • CFL BULBS
DRAIN CLEANERS • MOTH BALLS
AMMONIA BASED CLEANERS
OVEN CLEANERS • BAIT/POISON
SPOT REMOVERS



GARAGE

ANTIFREEZE • MOTOR OIL • OIL FILTERS
BRAKE FLUID • GREASE • BATTERIES
CHEMICALS • WOOD PRESERVATIVES
PAINT • PAINT REMOVER
ITEMS CONTAINING MERCURY
FLUORESCENT LAMPS AND TUBES

We do not accept:

Medical waste • Radioactive materials
Large, compressed gas cylinders
Agricultural waste • Explosives • Munitions
Waste from large-quantity generators

Restrictions and Fees

Disposal of most household hazardous material is free; however, there are quantity restrictions and/or small fees associated with some items, particularly for 'conditionally-exempt small-quantity generators'. Please contact Clean Harbors in advance at roa.renea@cleanharbors.com or (916) 396-1505 for more information.



OCT
17

MATERIALES PELIGROSOS
EVENTO DE RESIDUOS PELIGROSOS DEL HOGAR

HIGHWAY 59 LANDFILL
7040 N HIGHWAY 59
MERCED, CA 95348

8:00 AM - 12:00 PM



YARDA

SPRAY DE INSECTOS • PESTICIDAS
FERTILIZANTES • HERBICIDAS
QUÍMICOS PARA PISCINAS O
VENENO PARA ROEDORES



CASA

BATERÍAS • BOTE DE AEROSOL
BOMBILLAS DE CFL • VENENO/CEBO
LIMPIADORES DE DRENAJE
LIMPIADORES A BASE DE AMONIACO
LIMPIADORES DE HORNO



GARAJE

ANTICONGELANTE • ACEITE DE MOTOR
FILTROS DE ACEITE • GRASA • BATERÍAS
LÍQUIDO DE FRENOS • PINTURA
CONSERVANTE DE MADERA
REMOVEDOR DE PINTURA
ARTÍCULOS QUE CONTIENEN MERCURIO
LUCES/TUBOS FLUORESCENTES

No Aceptamos:

Desechos médicos • Materiales radiactivos
Cilindros de gas • Residuos agrícolas
Explosivos • Residuos de municiones de
generadores de gran cantidad

Restricciones y tarifas

La eliminación de la mayoría de los materiales peligrosos del hogar es gratuita; sin embargo, existen restricciones de cantidad y/o pequeñas tarifas asociadas con algunos artículos, particularmente para los 'generadores de pequeñas cantidades exentos condicionalmente'. Por favor contacte a Clean Harbors para más información roa.renea@cleanharbors.com o (916) 396-1505



HOW TO SUBMIT A COMMENT

Live During Video Conference

Join the meeting via video conference, to join:
<https://zoom.us/join>
Meeting ID: 846 4379 1648 **Passcode:** 36918
Join by Phone: 669-900-6833

By Phone

Submit a comment by calling
209-723-3153 ext 127

By Mail

Mail a comment to:
Merced County Association of Governments
c/o Natalia Austin
369 W. 18th Street
Merced, CA 95340

By E-Mail

E-Mail a comment to natalia.austin@mcagov.org

By Online Survey

Submit a comment through our online survey:
<https://www.mcagov.org/UnmetTransitNeedSurvey>

*Comments will be accepted until October 9, 2020

MERCED COUNTY UNMET TRANSIT NEEDS HEARING

October 8, 2020 | 6:00 PM

WHAT IS THE PURPOSE?

To ensure that all “unmet transit needs” that are “reasonable to meet” are met before Transportation Development Act funds are spent on non-transit uses, such as streets and roads.

WHAT IS AN UNMET TRANSIT NEED?

An inadequacy in the existing public transit services for those who rely on public transit because they do not operate a vehicle because of youth, advanced age, mental or physical impairment in Merced County.

In accordance with Governor Newsom's Executive Order N-29-20, the Social Services Transportation Advisory Council (SSTAC) on behalf of Merced County Association of Governments (MCAG), will not be holding Unmet Transit Needs hearings in-person. Rather, the SSTAC members and MCAG staff will be holding a virtual public hearing via Zoom where members of the public will have the opportunity to observe and offer public comment in real-time.



CÓMO ENVIAR UN COMENTARIO

Por Videoconferencia

Entre a la junta por videoconferencia, para entrar:

<https://zoom.us/join>

Junta ID: 846 4379 1648 **Clave:** 36918

Unirse Por Telefono: 669-900-6833

Por Telefono

Comente por telefono llamando al:
209-723-3153 ext 125.

Por Correo

Envíe un comentario a:
Merced County Association of Governments
c/o Mauricio Torres
369 W. 18th Street
Merced, CA 95340

Por Correo Electrónico

Enviado a: mauricio.torres@mcagov.org

Por Internet

Llene nuestra encuesta por internet:
<https://www.mcagov.org/EncuestaDeNecesidadesDeTransito>

*Se aceptarán comentarios hasta el 9 de octubre de 2020

CONDADO DE MERCED

NECESIDADES DE TRANSPORTE PÚBLICO 8 DE OCTUBRE | 6:00 PM

¿CUÁL ES EL PROPÓSITO?

Para asegurar que las necesidades insatisfechas publicas que son "razonables para cumplir" se cumplan en el servicio de transito del Condado de Merced antes de que cualquier fondos de desarrollo de transito se usen para otros proyectos afuera de transito, por ejemplo: calles y carreteras.

¿QUE ES UNA NECESIDAD INSATISFECHA DE TRANSITO?

Una insuficiencia en los servicios de transito publico existentes para aquellos que dependen del transporte publico porque no operan un vehiculo debido su juventud, edad avanzada, discapacidad mental o fisica en el Condado de Merced.

De acuerdo con la Orden Ejecutiva N-29-20 del Gobernador Newsom, el Social Services Transportation Advisory Council (SSTAC) de Merced County Association of Governments (MCAG), no se permitir audiencias en persona para la junta de necesidades de tránsito insatisfechas. Más bien, los miembros de SSTAC y el personal de MCAG llevarán a cabo una junta virtual para el público a través de Zoom. Miembros del público tendrán la oportunidad de observar y ofrecer comentarios públicos en tiempo real.

Here is a link to an article featuring one of the Merced Police Department's cadets, Marissa Bolanos. GV Wire recorded an interview with her at the Fresno Police Academy regarding the struggles of pursuing a career in law enforcement. Bolanos has been doing great in the class and is well liked by her instructors. She comes to us from the Fresno area and possesses an Associate's Degree and a Bachelor's degree in Business Management. She is the first in her family to pursue a career in law enforcement. This is a challenging time to start a career in law enforcement but she does not let the adversity dissuade her from her goal of helping people.

<https://gvwire.com/2020/09/03/as-police-departments-struggle-to-find-officers-some-cadets-exit-fresno-police-academy/>



“It’s a dramatic change for my family. I get a lot of concerns about safety. They (family) want me to have a long life, as do I.” — *Marissa Bolanos, Police Academy cadet*

Cadet Marissa Bolanos already has a job lined up with the Merced Police Department.

GV WireSM asked her what she thought about recent incidents in the country.

“I think it’s kind of devastating, to be honest. I was shocked that people just all of a sudden have chosen a career to hate,” Bolanos answered.

“It doesn’t make me not want to be a cop,” she said. “Certain communities, they still do back their police officers, so it makes being in the academy worthwhile still.”

Does she have any reservations about law enforcement as a career?

“This is something I knew that I wanted to do for a while. When I put my mind to something, I’m going to do it,” said Bolanos. “My reason for doing it is, I know I can help people”

Bolanos said that she respects everyone’s right to a political opinion, but she urges everyone to think twice when they see a police officer.

“Flag a cop down, have a conversation with them and you’ll realize not every officer is bad,” she said.

But Bolanos’ family is concerned about her becoming the first in their family to be sworn in as a police officer.

“My family is a little more timid,” she said. “It’s a dramatic change for my family. I get a lot of concerns about safety. They (family) want me to have a long life, as do I.”

She wants to be a sergeant someday, but her first goal is a K9 handler.



TRAFFIC ADVISORY

Today's Date: October 1, 2020
District: 10 - Stockton
Contact: Skip.Allum@dot.ca.gov
Phone: (209) 948-7176

FOR IMMEDIATE RELEASE

TRAFFIC ADVISORY FULL HIGHWAY CLOSURE (SOUTHBOUND) SOUTHBOUND STATE ROUTE 59 IN CITY OF MERCED

MERCED COUNTY – The California Department of Transportation (Caltrans) will close southbound State Route 59 (SR-59) between West Olive Avenue and Cooper Avenue in the city of Merced for utility work.

Closures will continue Sunday, October 4, through Thursday, October 8, 2020, from 10:00 p.m. until 6:00 a.m.

Motorists are advised to use R Street as a detour during these nightly closures.

Motorists should expect 10-minute delays. Alternate routes should be taken whenever possible.

This work is scheduled to begin as listed, but is subject to change due to traffic incidents, weather, availability of equipment, and/or materials and construction related issues.

For the safety of workers and other motorists, please Be Work Zone Alert.

#

www.dot.ca.gov



BE WORK ZONE ALERT



For current District 10 lane closure information, [please click here.](#)



CITY OF MERCED

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

Meeting Agenda

Planning Commission

Wednesday, October 7, 2020

7:00 PM

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

NOTICE TO PUBLIC

Pursuant to Governor Newsom's Executive Order N-29-20, this meeting will be conducted by teleconference and there will be no in-person public access to the meeting location.

WELCOME TO THE MEETING OF THE MERCED PLANNING COMMISSION

At least 72 hours prior to each regular Planning Commission meeting, a complete agenda packet is available for review on the City's website at www.cityofmerced.org or at the Planning Division 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 Commission will be available for public inspection at the Planning Division Office during regular business hours. The Planning Commission also serves as the Board of Zoning Adjustment and the Design Review/Historic Preservation Commission.

MODIFIED PUBLIC COMMENT INSTRUCTIONS

MODIFIED PUBLIC COMMENT INSTRUCTIONS FOR TELECONFERENCE MEETINGS

Please submit your public comment to the Planning Commission electronically no later than 3 PM on the day of the meeting. Comments received before the deadline will be read as part of the record. Material may be emailed to planningweb@cityofmerced.org and should be limited to 500 words or less. Please specify which portion of the agenda you are commenting on, i.e. item # or Oral Communications. Your comments will be read to Planning Commission at the appropriate time. Any correspondence received during or after the meeting will be distributed to the Planning Commission and retained for the official record.

You may provide telephonic comments via voicemail by calling (209) 388-7390 by no later than 3:00 PM on the day of the meeting to be added to the public comment. Voicemails will be limited to a time limit of three (3) minutes. Please specify which portion of the agenda you are commenting on, i.e. item # or Oral Communications. Your comments will be read to the Planning Commission at the appropriate time.

If you wish to leave a name and phone number and email address prior to 3 PM, technology permitting, you may be called at the time of the Public Hearing to provide your comments to the Planning Commission in real time. Due to technical limitations, any voice mails received after 3 PM may or may not be made available to the Planning Commission.

To listen to the Planning Commission meeting live, go to Facebook Live, or Comcast Public Access Channel 96).

INDIVIDUALS WITH DISABILITIES

Accommodation for individuals with disabilities may be arranged by contacting the Planning Division at (209) 385-6858. Assisted hearing devices are available for meetings held in the Council Chamber.

A. CALL TO ORDER

A.1. Moment of Silence

A.2. Pledge of Allegiance to the Flag

B. ROLL CALL

C. ORAL COMMUNICATIONS

Members of the public who wish to speak on any matter not listed on the agenda may provide email or voicemail comments during this portion of the meeting and should follow the guidelines posted above in the **MODIFIED PUBLIC COMMENT INSTRUCTIONS** to do so.

D. CONSENT CALENDAR

Adoption of the Consent Calendar may be made with one motion of the Planning Commission provided that any Planning Commission member, individual, or organization may request removal of an item from the Consent Calendar for separate consideration. Please see **MODIFIED PUBLIC COMMENT INSTRUCTIONS** above. If a request for removal of an item from the Consent Calendar has been received, the item will be discussed and voted on separately. With Consent items, there is generally no staff presentation but staff is available for questions.

D.1. [20-593](#) **SUBJECT:** Planning Commission Minutes of September 9, 2020

ACTION:

Approving and filing the Planning Commission Minutes of September 9, 2020

Attachments: [M09-09-2020 DRAFT.pdf](#)

E. PUBLIC HEARINGS AND ACTION ITEMS

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 Commission for discussion and action. Further comment will not be received unless requested by the Commission. To submit comments to the Commission, please review the **MODIFIED PUBLIC COMMENT INSTRUCTIONS** listed above.

E.1. [20-473](#)

SUBJECT: Public Hearing to consider the Modification of Conditional Use Permit #1200, submitted by Rick Telegan, on behalf of BP Investors, LLC. This request is to modify Condition #10 of City Council Resolution No. 2015-33 to allow the construction of a part-width roadway for Merrill Place (extended east of G Street).
****PUBLIC HEARING****

ACTION

PLANNING COMMISSION:

Recommendation to City Council

Environmental Review #20-20 (*CEQA Section 15162 Findings*)

Modification of Conditional Use Permit #1200

CITY COUNCIL:

Approve/Disapprove/Modify

Environmental Review #20-20 (*CEQA Section 15162 Findings*)

Modification of Conditional Use Permit #1200

SUMMARY

This is a request is to modify Condition #10 of City Council Resolution 2015-33 to allow the construction of a part-width street (Merrill Place) east of G Street, to the western edge of property owned by BP Investors, LLC (see the location map Attachment A). BP Investors, LLC obtained Conditional Use Permit approval (CUP #1200) in 2015, to construction a 216-unit apartment complex on a 9.8-acre parcel as shown on the site plan at Attachment B (refer to the Background section of this report for updates on the number of units). However, in order to build this project, they need access to G Street via Merrill Place. To date, BP Investors, LLC, has been unable to obtain the necessary right-of-way for Merrill Place (extended). Therefore, Mr. Telegan, on behalf of BP Investors, LLC, is requesting a modification to the conditions of approval for Conditional Use Permit #1200 to allow Merrill Place to be constructed as a part-width road from G Street to the western edge of the apartment project site (refer to Attachment A).

Merced Municipal Code (MMC) Section 18.12.020 - Streets - Conditions of design Section F (2) allows a part-width street to be constructed upon

recommendation of the Planning Commission and subject to the approval of the City Council.

Condition #21 of City Council Resolution #2015-33 states that if the necessary right-of-way needed for Merrill Place cannot be obtained by the developer, the City would take action to obtain the necessary right-of-way. However, subsequent to the approval, it was determined by the Interim City Attorney at the time, Jolie Houston, that this condition would not be enforceable as the City cannot force the dedication of right-of-way only to benefit a specific project. Therefore, staff is recommending this condition be eliminated.

Staff is recommending the Planning Commission recommend to the City Council the modification of Condition #10 to allow the construction a part-width street for Merrill Place and the deletion of Condition #21.

RECOMMENDATION

Planning staff recommends that the Planning Commission recommend approval of Environmental Review #20-20 (CEQA Section 15162 Findings) and the applicant's request to allow a part-width street be constructed for Merrill Place, east of G Street, subject to the approval of the modification of Finding B "Traffic/Circulation" of Exhibit B, and the modification of Condition #10 and deletion of Condition #21 of Exhibit C (Conditions of Approval) of City Council Resolution #2015-33, as shown on Attachment G.

Attachments: [Location Map - Partial Width Road.pdf](#)
[Site Plan 8.3.2015.pdf](#)
[Parcel Map for Bandoni.pdf](#)
[VTSM #1291.pdf](#)
[186 Units.pdf](#)
[Site Plan 128 Units.pdf](#)
[City Council Res #2015-33_with recommended changes 10.7.20.pdf](#)

E.2. [20-597](#) **SUBJECT:** Cancellation of October 21, 2020, due to lack of items

ACTION:

Cancel the Planning Commission Meeting of October 21, 2020

F. INFORMATION ITEMS

F.1. [20-594](#) **SUBJECT:** Report by Planning Manager of Upcoming Agenda Items

ACTION

Information only.

F.2. [20-595](#)

SUBJECT: Calendar of Meetings/Events

- Oct. 5 City Council, 6:00 p.m. **(In Person)**
- 7 Planning Commission, 7:00 p.m. **(By Teleconference)**
- 19 City Council, 6:00 p.m. **(May be by Teleconference)**
- 21 Planning Commission, 7:00 p.m. **(To be Cancelled)**
- 27 Bicycle/Pedestrian Advisory Commission, 4:00 p.m. **(By Teleconference)**
- Nov.2 City Council, 6:00 p.m. **(May be by Teleconference)**
- 4 Planning Commission, 7:00 p.m. **(By Teleconference)**
- 16 City Council, 6:00 p.m. **(May be by Teleconference)**
- 18 Planning Commission, 7:00 p.m. **(May be Cancelled)**

G. ADJOURNMENT