

**RESOLUTION NO. 2024-\_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF MERCED, CALIFORNIA,  
DECLARING RESULTS OF MAJORITY  
PROTEST PROCEEDINGS AND ESTABLISHING  
THE TOURISM BUSINESS IMPROVEMENT  
DISTRICT**

WHEREAS, the City Council of the City of Merced (the “City Council”) is authorized pursuant to Chapter 1 (commencing with Section 36600) of the California Streets & Highways Code, commonly known as the “Property and Business Improvement District Law of 1994” to establish a tourism business improvement district for the purpose of funding and promoting tourism; and

WHEREAS, the City Council has received signed petitions from the lodging businesses who will pay more than fifty percent (50%) of the assessment under the Tourism Business Improvement District (“TBID”) within the City of Merced (the “City”) requesting that the City Council initiate proceedings for the formation of the TBID pursuant to the Property and Business Improvement District Law of 1994 for the purpose of providing certain services that are necessary to promote the local lodging industry, and agreeing to the collection of 2% of each assessed lodging properties’ gross short-term room rental revenue sufficient to pay the costs of such services and costs incidental thereto; and

WHEREAS, Section 36600 of the California Streets & Highways Code allows for cities to fund lodging business improvements and activities through the levy of assessments upon the businesses that may benefit. Such improvements and activities may include providing security, marketing/ sales/ promotions, and management within the District; and

WHEREAS, On October 7th, 2024, at 6:00pm or thereafter, the Merced City Council Adopted a Resolution of Intention, Resolution No. 2024-92; and

WHEREAS, On November 4, 2024, at 6:00pm of thereafter, the City Council held a public meeting regarding the establishment of the TBID, and the City Council heard and received objections and protests, if any, to the establishment and the levy of the proposed assessment; and

WHEREAS, On December 2, 2024, at 6:00pm or thereafter, the Merced City Council held a public hearing regarding the establishment of the TBID, and the City Council heard and received objections and protests, if any, to the establishment and the levy of the proposed assessment

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

A. The City Clerk has determined that there was no majority protest. A majority protest is defined as written protests received from owners of businesses in the proposed district which would pay fifty percent (50%) or more of the total assessments proposed to be levied. Protests are weighted based on the assessment proposed to be levied on each lodging business.

B. The recitals set forth herein are adopted by the City Council as findings and they are true and correct.

C. The Merced Tourism Business Improvement District is hereby established for a five (5) year term, beginning January 1, 2025 through December 31, 2029. The Management Plan dated August, 2024 is hereby adopted.

D. The activities to be provided to benefit businesses in the district will be funded by the levy of the assessment. The revenue from the assessment levy shall not be used: to provide activities that directly benefit businesses outside the district; to provide activities or improvements outside the TBID; or for any purpose other than the purposes specified in this Resolution, the Resolution of Intention, and the Management District Plan.

PASSED AND ADOPTED by the City Council of the City of Merced at a regular meeting held on the \_\_\_\_ day of \_\_\_\_\_ 2024, by the following vote:

PASSED AND ADOPTED by the City Council of the City of Merced at a regular meeting held on the \_\_\_\_ day of \_\_\_\_\_ 2024, by the following vote:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

APPROVED:  
MATTHEW SERRATTO, MAYOR


\_\_\_\_\_  
Mayor

ATTEST:  
D. SCOTT MCBRIDE, CITY CLERK

BY: \_\_\_\_\_  
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:  
CRAIG J. CORNWELL, CITY ATTORNEY

 11/20/2024  
City Attorney Date