

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

**A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF MERCED, CALIFORNIA,  
SUSPENDING THE COLLECTION OF THE  
BUSINESS IMPROVEMENT AREA TAX AS  
CONTAINED IN CHAPTER 3.44 (BUSINESS  
IMPROVEMENT AREA TAX) OF THE MERCED  
MUNICIPAL CODE**

WHEREAS, the City of Merced Downtown Business Improvement Tax Area was created on December 15, 1969, and effective on January 15, 1970; and,

WHEREAS, the City Council of the City of Merced, California held a public hearing and vote regarding the formation of the Downtown Merced Property Based Improvement District on August 7, 2023; and,

WHEREAS, the City Council of the City of Merced, California on August 7, 2023, adopted City of Merced Resolution 2023-65 Forming the Downtown Merced Property Based Improvement District Levying Assessment starting with Fiscal Year 2023-2024 pursuant to the Property and Business Improvement District Law of 1994, and;

WHEREAS, the adopted Downtown Merced Property Based Improvement Management Plan and Engineer's Report calls for the elimination of the Downtown Business Improvement Area Tax upon formation and adoption of the Downtown Merced Property Based Improvement District; and

WHEREAS, City administration believes that it is in the best interest of the City to suspend the Downtown Business Improvement Area Tax during the inaugural five year operational period of the Downtown Merced Property Based Improvement District Levying Assessment.

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

SECTION 1. That the collection of the Downtown Business Improvement Area Tax as contained in Merced Municipal Code Section 3.44 is hereby suspended effective January 2, 2024.

SECTION 2. That upon the 5-year renewal period of the Downtown Merced Property Based Improvement Area, the Downtown Business Improvement Area Tax may be reinstated should the vote for the renewal of the Downtown Merced Property Based Improvement District fail.

SECTION 3. That should the Downtown Merced Property Based Improvement Area be extended for another 10-years after the initial 5-year period, the Downtown Business Improvement Area Tax shall be permanently dissolved by an Ordinance Amendment.

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

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Mayor

ATTEST:  
D. SCOTT MCBRIDE, CITY CLERK

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

(SEAL)

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

\_\_\_\_\_  
City Attorney      Date