



## Legislation Text

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File #: 24-471, Version: 1

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*Report Prepared by: Sarah Knoester, Management Analyst*

**SUBJECT:** Approval of the Second Amendment to Professional Services Agreement with the Kiwanis Club of Greater Merced Foundation to Extend the Term of Their American Rescue Plan Act (ARPA) Non-Profit Support Funding Contract to June 30, 2026

### REPORT IN BRIEF

Considers approving of the Second Amendment to Professional Services Agreement with the Kiwanis Club of Greater Merced Foundation to extend the term of their ARPA Non-Profit Support Funding contract to June 30, 2026.

### RECOMMENDATION

**City Council** - Adopt a motion:

- A. Approving the Second Amendment to Professional Services Agreement with the Kiwanis Club of Greater Merced Foundation to extend the term of their ARPA Non-Profit Support Funding contract to June 30, 2026; and,
- B. Authorizing the City Manager or the Deputy City Manager to execute the necessary documents.

### ALTERNATIVES

1. Approve, as recommend by Staff; or,
2. Approve, subject to other than recommended by Staff; or,
3. Deny; or,
4. Refer to Staff for reconsideration of specific items; or,
5. Continue to a future meeting.

### AUTHORITY

Merced Municipal Code Title 3 Article III Purchases Over Twenty-Five Thousand Dollars.

### CITY COUNCIL PRIORITIES

As provided for in the FY 2023/2024 Adopted Budget.

### DISCUSSION

#### History and Past Action

At the September 19, 2022, City Council meeting, Council approved a Professional Services Agreement awarding the Kiwanis Club \$500,000 in ARPA Non-Profit Support Funding. At the June 5, 2023, City Council meeting, Council approved the budget subcommittee's recommendation to extend

all ARPA Non-Profit Support Funding contracts an additional year. A First Amendment to Professional Service Agreement was executed on July 1, 2023, to extend the contract term from June 30, 2023 to June 30, 2024.

### Current Action

Kiwanis Club's scope of work for Kiddieland included extending the train's path further into Applegate Park (see Exhibit A in Attachment 1). This required Kiwanis Club to amend its joint land use agreement with the City. This amendment took a considerable amount of time and delayed the start of the project.

Parks and Community Services Staff will present the Amended and Reinstated Joint Land Use Agreement to the City Council for approval at their May 20, 2024 meeting. Once approved, the Kiwanis Club can begin work on extending the train's path.

As we are a month and a half away from Kiwanis' contract end date of June 30, 2024, City Manager Staff is requesting approval to extend Kiwanis' ARPA Non-Profit Support funding contract to June 30, 2026 to allow time for Kiwanis to complete their project. A contract end date of June 30, 2026 will allow sufficient time for project completion to meet ARPA expense requirement of December 30, 2026.

### **IMPACT ON CITY RESOURCES**

No additional funds are required. Kiwanis' remaining balance on the contract is \$408,815.77.

### **ATTACHMENTS**

1. Kiwanis Club Second Amendment to Professional Service Agreement