



## Legislation Details (With Text)

<b>File #:</b>	23-440	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Consent Item	<b>Status:</b>		Passed	
<b>File created:</b>	5/11/2023	<b>In control:</b>	City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency		
<b>On agenda:</b>	6/5/2023	<b>Final action:</b>	6/5/2023		

**Title:** SUBJECT: Approval to Waive the Competitive Bidding Requirement, and Authorizing the Agreement with the Merced Main Street Association for \$60,000 for Services and the Administration of the Downtown Business Improvement Area for Fiscal Year 2022-2023

### REPORT IN BRIEF

Considers approving to waive the competitive bidding requirements pursuant to Merced Municipal Code Section 3.04.210 and approving an Agreement between the City of Merced and the Merced Main Street Association for \$60,000 to provide services to the Downtown Business Improvement Area during Fiscal Year 2022-2023.

### RECOMMENDATION

City Council - Adopt a motion:

A. Waiving the City's competitive bidding requirement as permitted by Merced Municipal Code section 3.04.210 based on the Merced Main Street Association's proven experience of providing the Administration of Downtown Services since 2015 and providing continuity during the formation of the PBID; and,

B. Approving the agreement with the Merced Main Street Association for Downtown Services for 2022-2023 in the amount of \$60,000; and,

C. Authorizing the City Manager or Deputy City Manager to execute the necessary documents.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Downtown Business Improvement District Map, 2. Merced Main Street Association Agreement for FY 22/23, 3. MMSA Annual Report

Date	Ver.	Action By	Action	Result
6/5/2023	1	City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency	approved	Pass

*Report Prepared by: Karen Baker, Economic Development Associate, Merced Yosemite Regional Airport*

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## **RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Waiving the City's competitive bidding requirement as permitted by Merced Municipal Code section 3.04.210 based on the Merced Main Street Association's proven experience of providing the Administration of Downtown Services since 2015 and providing continuity during the formation of the PBID; and,
- B. Approving the agreement with the Merced Main Street Association for Downtown Services for 2022-2023 in the amount of \$60,000; and,
- C. Authorizing the City Manager or Deputy City Manager to execute the necessary documents.

## **ALTERNATIVES**

- 1. Approve as recommended by staff; or
- 2. Approve, subject to notifications as conditioned by Council; or,
- 3. Deny the requests completely; or
- 4. Refer back to staff for reconsideration of specific items as requested by Council; or,
- 5. Defer action until a specified date.

## **AUTHORITY**

Charter of the City of Merced, Section 200, Merced Municipal Code Section 3.04.210-Exemptions from competitive bidding and Merced Municipal Code Section 3.44.020, 3.44.070-Additional Tax-Disposition of Proceeds, and 3.44.080-Additional Tax-Generally Beneficial.

## **CITY COUNCIL PRIORITIES**

Fund 006/2000 Downtown Fund - Partner and continue to coordinate with the Merced Main Street Association through the Professional Services Agreement.

## **DISCUSSION**

### Background

The Downtown Business Improvement Area is defined in Section 3.44.020 of the Merced Municipal Code is bound by "G" Street on the east, "V" Street on the west, Union Pacific Railroad tracks on the south, and the alley between 19<sup>th</sup> and 20<sup>th</sup> Streets on the north (Attachment 1).

Merced Main Street Association (MMSA) has been in a service agreement with the City of Merced for the administration of Downtown Services since January 2015. Contracted responsibilities continue to be focused on safety, security, cleanliness, maintenance, events, and securing National Main Street program certification.

### Description

The Merced Main Street Association would like to continue serving as the contractor for the Downtown Improvement Fund for 2022-2023. The Merced Main Street Association Board, which is all volunteer, is committed to building on the progress they have made as an organization, focusing on how best to serve their Downtown Business community, in accordance with Merced Municipal Code Section 3.44.070-Disposition of Proceeds, and 3.44.080-Additional Tax-Generally Beneficial.

The Merced Main Street Association is a non-profit organization operating pursuant to Section 501(c)(6) of the Internal Revenue Code, a member of the California Main Street Association and continuing to work on their National Main Street Association certification. They have an office in Downtown Merced.

#### Key Deliverables/Milestones/Timelines

For FY 22-23, MMSA will continue to build upon the work they have accomplished and add to the areas they feel will best serve their core mission including: safety and security, maintenance, cleanliness, and events in the Downtown Area.

They will also support, or continue to support, the following downtown district efforts:

- Promote the Non/Certified Merced Farmer's Market.
- Continue the Façade Grant for curb appeal improvements.
- Maintain the California Main Street Alliance program membership.
- Host Quarterly Membership Meetings
- Continue Celebrate Downtown program to underwrite groups who hold events in the downtown district to cover permitting fees incurred.
- Website Maintenance for MMSA.
- Design, Promotion, Organization and Economic Committees meet monthly.
- Continue to purchase Holiday decorations for the Downtown district.
- Printing and postage for mixers, events, school flyers and general correspondence.
- Support the Merced Downtown Neighborhood Association
- Continue Emergency Lighting Program
- Camera & Lighting Program
- Maintain a MMSA Office in Downtown Merced.

<u>TASK</u>	<u>Allocation</u>
• Marketing	\$ 5,000.00
• Administrative	\$ 11,400.00
• Programs & Projects	\$ 31,100.00
• Membership	\$ 1,500.00
• Downtown Cleaning/Maintenance	\$ 6,000.00
• Downtown Camera Program	\$ 5,000.00
• <b>Total</b>	<b>\$ 60,000.00</b>

Several of the deliverables were performed by the MMSA volunteers including the Downtown Christmas Parade, quarterly meetings, façade grant program, and more. Due to unforeseen delays, the FY 22-23 Scope of Services was not submitted to City staff until latter part of the Fiscal Year. MMSA is in good standing with the City of Merced.

## **IMPACT ON CITY RESOURCES**

Funding is available within FY 22/23 adopted budget under Fund 2000-Downtown Fund and professional service account. The General Fund is not used to pay for services provided through the Agreement.

## **ATTACHMENT**

1. Downtown Business Improvement District Map
2. Merced Main Street Association Agreement for FY 22/23
3. MMSA Annual Report