

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE (1) APPROVING THE DOWNTOWN SAN JOSE PROPERTY-BASED IMPROVEMENT DISTRICT ANNUAL REPORT PREPARED BY THE DOWNTOWN SAN JOSE PROPERTY OWNERS' ASSOCIATION FOR FISCAL YEAR 2021-2022 AS FILED OR MODIFIED BY COUNCIL; (2) CONFIRMING THE INDIVIDUAL ASSESSMENTS AS PROPOSED BY THE DOWNTOWN SAN JOSE PROPERTY OWNERS' ASSOCIATION, OR AS MODIFIED BY COUNCIL; AND (3) DIRECTING THE DIRECTOR OF PUBLIC WORKS TO DELIVER THE ASSESSMENT ROLL TO THE COUNTY OF SANTA CLARA FOR COLLECTION WITH THE PROPERTY TAXES

WHEREAS, in 2007, the Downtown San José Property-Based Improvement District (“Downtown PBID”) was approved by property owners and adopted by the Council of the City of San José (“Council”) on August 7, 2007 for a five-year period to raise funds for enhanced services for the Downtown; and

WHEREAS, on June 19, 2012 the Downtown PBID was expanded and renewed for a ten-year period, beginning January 1, 2013 and ending December 31, 2022; and

WHEREAS, pursuant to Part 7 of Division 18 of the California Streets and Highways Code “Property and Business Improvement District Law of 1994”, and in accordance with the agreement between the City of San José (“City”) and the San José Downtown Property Owners’ Association (“POA”), the POA has submitted the *Downtown San José Property-Based Improvement District Annual Report for Fiscal Year 2021-2022* (“Annual Report”), dated April 29, 2021, to the Council; and

WHEREAS, to partially offset the increased costs associated with an increased living wage and increased demand for cleaning services as a result of the ongoing COVID-19 pandemic, the Property Owners’ Association Board of Directors is recommending a total

assessment increase of 3% for Fiscal Year 2021-2022 which is estimated to generate \$148,172 in additional revenue from the 3% increase and new development per the Annual Report; and

WHEREAS, the total maximum assessment levy net of fees to be collected for FY 2021-2022 will be approximately \$3,279,128; and

WHEREAS, as a property owner within the Downtown PBID, the City's assessment will be approximately \$548,245, and the City's baseline service contribution will be \$395,000 for FY 2021-2022; and

WHEREAS, funds are included in the City's proposed Fiscal Year 2021-2022 Operating Budget for these purposes;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

1. The Downtown San José Property-Based Improvement District Annual Report prepared by the Downtown San José Property Owners' Association for Fiscal Year 2021-2022 as filed or modified by Council, is approved.
2. The individual assessments as proposed by the Downtown San José Property Owners' Association, or as modified by Council, is confirmed.
3. The Director of Public Works is directed to deliver the assessment roll to the County of Santa Clara for collection with the property taxes.

ADOPTED this _____ day of _____, 2021, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk