

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE (1) APPROVING THE SAN JOSE HOTEL BUSINESS IMPROVEMENT DISTRICT ANNUAL REPORT PREPARED BY SAN JOSE HOTELS, INC. FOR FISCAL YEAR 2022-2023 AS FILED OR MODIFIED BY COUNCIL; AND (2) CONFIRMING THE SAN JOSE HOTEL BUSINESS IMPROVEMENT DISTRICT ASSESSMENTS AS PROPOSED BY SAN JOSE HOTELS, INC., OR AS MODIFIED BY COUNCIL

WHEREAS, in 2006, the Hotel Business Improvement District (“HBID”) was approved by property owners and adopted by the City Council of the City of San José (“City”) pursuant to Streets and Highways Code Section 36500 et seq, commonly referred to as the Property and Business Improvement Area Law of 1989 (“’89 Law”) to provide revenues for marketing efforts and event opportunities for hotels located in San José; and

WHEREAS, the ’89 Law required the HBID to be renewed annually, and, in an effort to implement long-range and larger-scale marketing and visitor attraction programs, on April 24, 2018 the City Council adopted Resolution No. 78561 establishing a new San José Hotel Business Improvement District (“SJHBID”) pursuant to Streets and Highways Code Section 36600 et. seq., commonly referred to as the Property and Business Improvement Area Law of 1994 (“’94 Law”) for a five-year term beginning July 1, 2018 through June 30, 2023, and selected San José Hotels, Inc. (“SJHI”) as the Owners’ Association for the SJHBID to implement the Management District Plan; and

WHEREAS, pursuant to the ’94 Law, and in accordance with the agreement between the City and SJHI, SJHI has submitted the *San José Hotel Business Improvement District Annual Report for Fiscal Year 2022-23* (“Annual Report”), dated May 20, 2022, to the City Council; and

WHEREAS, the annual assessment rate is a fixed dollar amount per paid occupied room per night and the assessment rate may be increased by the SJHI Board of Directors by no more than a maximum of \$0.50 per paid occupied room per night, and no more than \$0.25 in any year; and

WHEREAS, the SJHI Board of Directors does not recommend any changes to the SJHBID boundaries, benefit zones, or assessment rates for Fiscal Year 2022-2023; and

WHEREAS, the total budgeted revenue based on projected collections for Fiscal Year 2022-2023 will be approximately \$2,110,831;

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

1. The San José Hotel Business Improvement District Annual Report prepared by San José Hotels, Inc. for Fiscal Year 2022-2023, as filed or modified by Council, is approved.
2. The San José Hotel Business Improvement District assessments as proposed by San José Hotels, Inc., or as modified by Council, are confirmed.

ADOPTED this _____ day of _____, 2022, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk