

RESOLUTION NO. _____

**A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN JOSE APPROVING THE JAPANTOWN BUSINESS
IMPROVEMENT DISTRICT BUDGET REPORT FOR
FISCAL YEAR 2023-2024, AS FILED OR MODIFIED BY
THE CITY COUNCIL, AND LEVYING THE JAPANTOWN
BUSINESS IMPROVEMENT DISTRICT ASSESSMENTS
FOR FISCAL YEAR 2023-2024**

WHEREAS, the City Council of the City of San José established the Jackson-Taylor Business Improvement District pursuant to Ordinance No. 23453 dated May 1, 1990, pursuant to the California Parking and Business Improvement Area Law, California Streets and Highway Code §36500 *et seq.* ("Improvement Law"); and

WHEREAS, in 1993, the Council approved the change of the name of the Business Improvement District to the Japantown Business Improvement District ("BID"); and

WHEREAS, under and pursuant to the Improvement Law, on May 23, 2023 the Council adopted Resolution No. RES2023-159, a resolution declaring the Council's intention to levy the assessments for Fiscal Year 2023-2024 in the BID; and

WHEREAS, said Resolution No. RES2023-159 was duly published, as provided by the Improvement Law; and

WHEREAS, as specified in Resolution No. RES2023-159, a public hearing concerning the levy of assessments for Fiscal Year 2023-2024, was held before the Council on June 6, 2023, at the meeting beginning 11:00 a.m. (to be heard no sooner than 1:30 p.m.) in the Council Chambers of the City of San José, 200 East Santa Clara Street, San José, California, or by teleconference that is open to the public and enables public comment; and

WHEREAS, __ written protests against the levy of assessments or against any specified improvement or activity were filed with the City Clerk; and

WHEREAS, __ oral protests were made at the hearing against the levy of assessments or against any specified improvement or activity;

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

1. The Council hereby finds that there were __ written protests against the levy of assessments for Fiscal Year 2023-2024 and/or against any specified improvement or activity in the BID, and that there is no majority protest within the meaning of Section 36525 of Improvement Law.
2. The Budget Report for Fiscal Year 2023-2024 filed with the City Clerk pursuant to Resolution No. RES2023-159 is hereby approved.
3. The Council hereby finds and determines that the businesses lying within the BID will be benefited by the expenditure of the funds raised by the assessments or charges proposed to be levied.
4. The levying of assessments in the BID for Fiscal Year 2023-2024 in accordance with this Resolution is hereby authorized.

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ADOPTED this _____ day of _____, 2023, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk