RD:JAC:LCP
5/18/2018

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 2018-2019 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, INCLUDING THE ASSESSMENT ON CITY-OWNED PROPERTY AND THE ASSESSMENT ON SUCCESSOR AGENCY-OWNED PROPERTY; (3) DIRECTING THAT THE CITY BASELINE SERVICES CONTRIBUTION IN THE AMOUNT OF $395,000 BE CONTINUED IN FISCAL YEAR 2018-2019; AND (4) 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, on March 23, 2018, the San Jose Downtown Property Owners' Association submitted a request to the City Manager's Office, seeking an increase to the annual baseline funding of $365,000 to $395,000; 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

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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 2018-2019,* dated May 1, 2018, to the City Council; and

WHEREAS, to partially offset the increased costs associated with an increased living wage, the Property Owner's Association Board of Directors is recommending a total assessment increase of 5% for Fiscal Year 2018-2019 which is estimated to generate $48,752 in additional revenue; and

WHEREAS, the total maximum assessment to be collected for FY 2018-2019 will be $2,895,000; as a property owner within the Downtown PBID, the City's assessment will be approximately $495,785, the Successor Agency to the Redevelopment Agency of the City of San José's assessment will be approximately $7,854, and the City's baseline service contribution will be $395,000 for FY 2018-2019; and

WHEREAS, funds are included in the City's proposed Fiscal Year 2018-2019 Operating Budget for these purposes;

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

1. The Downtown San Jose Property-Based Improvement District Annual Report prepared by the Downtown San José Property Owners Association for Fiscal Year 2018-2019 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, including the assessment on City-owned property and the assessment on Successor Agency-owned property, are confirmed.

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3. The City baseline services contribution in the amount of $395,000 shall be continued in Fiscal Year 2018-2019.

4. 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 _____, 2018, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

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