

***DRAFT***

ORDINANCE NO.

**AN UNCODIFIED ORDINANCE OF THE CITY OF SAN JOSE APPROVING THE DOWNTOWN SAN JOSE PROPERTY-BASED BUSINESS IMPROVEMENT DISTRICT ANNUAL REPORT FOR FISCAL YEAR 2024-2025 AS FILED OR MODIFIED BY THE CITY COUNCIL, AND CONFIRMING AND LEVYING THE INDIVIDUAL ASSESSMENTS AS PROPOSED OR MODIFIED BY THE CITY COUNCIL SPECIFIED IN THE RESOLUTION**

**WHEREAS**, on June 4, 2024, the City Council adopted a resolution approving the Downtown San José Property-Based Business Improvement District Annual Report for Fiscal Year 2024-2025, as filed or modified by the City Council, confirming and levying the individual assessments as proposed or modified by the City Council, and directing the Director of Public Works to deliver the assessment roll to the County of Santa Clara for collection with the property taxes; and

**WHEREAS**, pursuant to the provisions and requirements of the California Environmental Quality Act of 1970, together with related State CEQA Guidelines and Title 21 of the San José Municipal Code, the Director of Planning, Building and Code Enforcement, on May 3, 2023, determined that the provisions of this Ordinance are categorically exempt under CEQA Guidelines 15301 (Existing Facilities) and File No. ER23-096 (Citywide Downtown Property Based Improvement District); and

**WHEREAS**, the City Council of the City of San José is the decision-making body for this Ordinance and has reviewed, considered, and upheld the exempt determination prior to taking any action on the Ordinance;

**NOW, THEREFORE**, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

SECTION 1. The City Council hereby adopts the findings and amounts of the Downtown San José Property-Based Business Improvement District assessments for Fiscal Year 2024-2025 specified in Resolution No. RES2024\_\_\_\_, adopted on \_\_\_\_\_.

SECTION 2. The Downtown San José Property-Based Business Improvement District assessments specified in Resolution No. RES2024\_\_\_\_\_ and this Ordinance are assessments imposed upon a business in a tourism marketing district, a parking and business improvement area, or a property and business improvement district.

SECTION 3. The provisions of this Ordinance shall take effect retroactive to July 1, 2024.

PASSED FOR PUBLICATION of title this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

\_\_\_\_\_  
MATT MAHAN  
Mayor

ATTEST:

\_\_\_\_\_  
TONI J. TABER, CMC  
City Clerk