

RESOLUTION NO. \_\_\_\_

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE (1) 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 COUNCIL; AND (2) 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 Business Improvement District ("Downtown PBID") was approved by property owners and adopted by the Council of the City of San José ("City 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 June 14, 2022, the Downtown PBID was expanded and renewed for a ten-year period beginning January 1, 2023, and ending December 31, 2032; 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 Jose Downtown Property Owners' Association ("POA"), the POA has submitted the Downtown San Jose Property-Based Improvement District Annual Report for Fiscal Year 2024-2025 ("Annual Report"), dated April 15, 2024, to the City Council; and

**WHEREAS**, for Fiscal Year 2024-2025, the POA Board of Directors is recommending an assessment increase of 3% on all parcels along with an additional 2% increase on commercial and enterprise government parcels to fund/augment the Beautification and Street Life services per the Annual Report; and

**WHEREAS**, the total maximum assessment levy net of fees to be collected for FY 2024-2025 will be approximately \$5,045,963; and

**WHEREAS**, as a property owner within the Downtown PBID, the City's assessment will be approximately \$793,862, the City's baseline service contribution will be \$476,972, the City's general benefit contribution will be \$50,903, and the additional services contribution will be \$72,250 for FY 2024-2025; and

**WHEREAS**, funds are included in the City's proposed Fiscal Year 2024-2025 Operating Budget for these purposes; and

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

1. The Downtown San Jose Property-Based Business Improvement District Annual Report prepared by the Downtown San José Property Owners Association for Fiscal Year 2024-2025 as filed or modified by the City Council, is approved.
2. The individual assessments as proposed by the Downtown San José Property Owners Association, or as modified by the City Council, are confirmed.
3. The levying of assessments in the Downtown PBID for Fiscal Year 2024-2025 in accordance with this Resolution is hereby authorized.

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 \_\_\_\_\_, 2024, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

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MATT MAHAN  
Mayor

ATTEST:

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TONI J. TABER, CMC  
City Clerk