

RESOLUTION NO. _____

**RESOLUTION OF INTENTION OF THE CITY COUNCIL
OF THE CITY OF CAPITOLA
TO LEVY BUSINESS IMPROVEMENT ASSESSMENTS
FOR FISCAL YEAR 2024-25 FOR THE CAPITOLA VILLAGE AND WHARF BUSINESS
IMPROVEMENT AREA (CVWBIA); ACCEPTING THE ANNUAL REPORT AND PROPOSED
BUDGET OF THE CVWBIA; SETTING THE DATE FOR AND PROVIDING NOTICING
REQUIREMENTS FOR A PUBLIC HEARING TO CONSIDER THE LEVY OF ASSESSMENTS**

WHEREAS, the Capitola Village and Wharf Business Improvement Area (“CVWBIA”) has prepared a report to the City of Capitola for Fiscal Year 2024-25 pertaining to the Business Improvement Area assessments for the CVWBIA under California Streets and Highways Code §36533; and

WHEREAS, Capitola Municipal Code §5.10.050 requires annual assessments to be imposed within the CVWBIA pursuant to a formula set forth in City Council Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CAPITOLA AS FOLLOWS:

1. The Annual Report and Proposed Fiscal Year FY 2024-25 Budget of the CVWBIA pertaining to business improvement assessments, as presented in Exhibit A attached hereto, is accepted.

2. The City Council intends to levy and collect assessments within the CVWBIA for FY 2024-25.

3. The proposed activities authorized by Capitola Municipal Code Chapter 5.10 are described in the afore-referenced CVWBIA Annual Report. The activities financed from these funds include promotional information, media announcements, and advertising in regional magazines, broadcast services, and websites.

4. The Business Improvement Area is bounded per the map referenced in Municipal Code §5.10.020 and included in Ordinance 1003. The CVWBIA boundaries are not being altered this year.

5. The Annual Report of the CVWBIA and proposed assessments for FY 2024-25 attached as Exhibit A and on file with the City Clerk provide a full and detailed description of the improvements and activities to be provided during FY 2024-25 and the proposed assessments to be levied upon the businesses within the area.

6. The Capitola City Council will hold a public hearing at 6 p.m. on Thursday, June 13, 2024, to receive any oral or written protests or endorsements to the regularity or sufficiency of the proposed business improvement assessments. Remote access only can be accommodated: available at <http://capitolaca.igm2.com/Citizens/Default.aspx>, live on Spectrum Cable Television channel 8, and by joining the Zoom meeting (information on how to do so can be found at CityOfCapitola.org). If written protests complying with Streets and Highways Code §36524 and §36525 are received from the owners of businesses which will pay fifty percent or more of the assessments, assessments will not be levied, the procedure will be terminated and will not be reconsidered until one full year has elapsed.

7. The City Clerk is directed to give notice of the public hearing to consider the levy of business improvement assessments for FY 2024-25 by publishing this Resolution of Intention in

a newspaper of general circulation in the City once, at least seven days prior to the public hearing.

8. The CVWBIA Advisory Committee is directed to give notice of the public hearing to each business owner in the area by mailing a copy of the Council's Resolution of Intention to each business within its boundaries.

I HEREBY CERTIFY that the above and foregoing resolution was passed and adopted by the City Council of the City of Capitola at its regular meeting held on the 23rd day of May 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Kristen Brown, Mayor

ATTEST:

Julia Gautho, City Clerk