

**CAPITOLA CITY COUNCIL
NOTICE OF PUBLIC HEARING
THURSDAY, JUNE 22, 2017, AT 7 P.M.**

RESOLUTION NO. 4078

RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA
TO LEVY BUSINESS IMPROVEMENT ASSESSMENTS FOR FISCAL YEAR 2017/2018

WHEREAS, the Capitola Village and Wharf Business Improvement Area (“CVWBIA”) has prepared a report to the City of Capitola for Fiscal Year 2017/2018 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 2017/2018 Budget of the CVWBIA pertaining to business improvement assessments, as presented in Exhibit A attached hereto, is received.

2. The City Council intends to levy and collect assessments within the CVWBIA for Fiscal Year 2017/2018.

3. The proposed activities authorized by Capitola Municipal Code Chapter 5.10 are described in the afore-referenced CVWBIA Annual Report. These activities include a variety of promotional activities, including village maintenance and beautification programs, and extended holiday parking programs. Promotional information, media announcements, and publications will also be financed from these funds, including regional magazine advertising, broadcast advertising, and website advertising.

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 Fiscal Year 2017/2018 are presented in Exhibit A attached hereto and on file with the City Clerk to provide a full and detailed description of the improvements and activities to be provided during Fiscal Year 2017/2018, the boundaries of the area, and the proposed assessments to be levied upon the businesses within the area for Fiscal Year 2017/2018.

6. The Capitola City Council will hold a public hearing in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California, at 7 p.m. on Thursday, June 22, 2017, to receive any oral or written protests or endorsements to the regularity or sufficiency of the proposed business improvement assessments. 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 Fiscal Year 2017/2018 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 31st day of May, 2017, by the following vote:

AYES: Council Members Bertrand, Bottorff, Termini, and Petersen

NOES: None

ABSENT: Mayor Harlan

ABSTAIN: None

/s/ Michael Termini, Vice Mayor

ATTEST:

/s/ Linda Fridy, City Clerk

NOTE: Exhibit A, the annual report and proposed Fiscal Year 2017/2018 budget of the Capitola Village and Wharf Business Improvement Area, is available at Capitola City Hall, 420 Capitola Avenue, Capitola.