



COUNCIL AGENDA: 06-20-06
ITEM: 4.3(b)

Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Paul Krutko

SUBJECT: See below

DATE: May 26, 2006

Approved

Date

6/4/06

COUNCIL DISTRICT: 3
SNI AREA: 13th Street

SUBJECT: ADOPTION OF A RESOLUTION TO APPROVE THE 2006-2007 BUDGET REPORT AND TO LEVY JAPANTOWN BUSINESS IMPROVEMENT DISTRICT ASSESSMENTS FOR FISCAL YEAR 2006-07

RECOMMENDATION

Adoption of a resolution to approve the Japantown Business Improvement District budget report for fiscal year 2006-07, as filed or as modified by the Council, and to levy the Japantown BID assessments for 2006-07.

BACKGROUND

The Japantown Business Improvement District (“BID”) was established by the Council in 1990 pursuant to the California Parking and Business Improvement Area Law (“BID Law”) to promote the economic revitalization and physical maintenance of the Japantown business district. The Council appointed the Japantown Business and Professional Association as the Advisory Board (“Advisory Board”) for the BID, to advise the Council on the levy of assessments in the BID and the expenditure of revenues derived from the assessments.

Pursuant to BID Law, an annual public hearing is required in order to approve the annual budget report and levy the annual BID assessments. On June 6, 2006, the Council preliminarily approved the 2006-07 budget report as filed by the Advisory Board or as modified by the City Council and adopted a resolution of intention to levy the annual assessments for fiscal year 2006-07 for the BID, and set June 20, 2006 at 1:30 p.m. as the date and time for the required public hearing on the levy of the proposed 2006-07 assessments. The 2006-07 budget report submitted to the Council on June 6, 2006 is attached to this memo as Exhibit 1.

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In accordance with the BID Law, the City Clerk has published the required legal notice with regard to the levy of assessments for fiscal year 2006-07.

ANALYSIS

When a hearing is held under BID Law with regard to the levy of assessments of a BID, the City Council shall hear and consider all protests against the continued authorization of the BID, the extent of the area, the assessments, or the furnishing of specified types of improvements or activities. Protests may be made orally or in writing. Written protests must be filed with the City Clerk at or before the time fixed for the public hearing. BID Law requires that the proceedings shall terminate if protests are made in writing against the continued authorization of the BID by businesses or property owners in the proposed district that will pay a majority of the charges to be assessed. If the majority protest is only against the furnishing of a specified type or types of improvement or activity within the area, those improvements or activities shall be eliminated.

The Advisory Board has prepared a budget report (the “report”) attached as Exhibit 1, for the Council’s consideration as the budget for the Japantown BID for Fiscal Year 2006-07. As required by BID Law, the report has been filed with the City Clerk and contains, among other things, a list of the improvements and activities proposed to be provided in the BID in Fiscal Year 2006-07 and an estimate of the cost of providing the improvements and activities. The Advisory Board has recommended no change in the BID boundaries or the method and basis for levying assessments. Therefore, the proposed assessments in the BID for Fiscal Year 2006-07, described in the report, are the same as the assessments in Fiscal Year 2005-2006.

During the course or upon the conclusion of the public hearing the City Council may order changes in any of the matters provided in the Advisory Board’s report. At the conclusion of the public hearing the City Council may adopt a resolution confirming the report as originally filed or as modified by the Council. The adoption of the resolution constitutes the levy of the assessment for the fiscal year 2006-07.

OUTCOMES

This action is consistent with the Economic Development Strategy approved by the Council, specifically Initiative No. 5, “Support Start up and Growth of Local Businesses, in Tech as well as Non-Tech fields” and Initiative No. 13, “Develop Retail to Full Potential, Maximizing Revenue Impact and Neighborhood Livability.” A healthy Business Improvement District will encourage growth of the retail community and consequently result in additional sales tax revenue for the City.

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ALTERNATIVES

Not applicable.

PUBLIC OUTREACH

The budget for Fiscal Year 2006-2007 was reviewed and approved by the Advisory Board at their board meeting on March 26, 2006.

COORDINATION

This memorandum has been coordinated with Finance Department, the City Attorney's Office, the Japantown Business Association, and the City Clerk.

COST IMPLICATIONS

Approval of the proposed BID budget does not impact City revenue. BID assessments are restricted for use exclusively by the BID.

BUDGET REFERENCE

Not applicable.

CEQA

CEQA: Exempt, PP03-05-165



PAUL KRUTKO

Director of Economic Development

For questions please contact Paul Krutko, Director at (408) 535-8181

Attachment

JAPANTOWN BID REPORT
FOR FISCAL YEAR 2006-2007

1. There are no proposed changes in the boundaries of the BID. Zone 1 and Zone 2 remain the same. See attached BID address range sheet and map.

2. Proposed budget & improvements:

Estimated non-BID membership		500.00
Estimated BID Carryover	\$	0
Estimated BID Income		28,500.00
	\$	29,000.00

3. Improvements and activities funded by BID:

Advertising	\$	1800.00
Banner Changing/repair		1100.00
Communications (newsletter, website hosting, phone)		1050.00
Office Expenses (includes rent)		3,000.00
Executive Director's Salary P/T		20,000.00
Events (Farmers' Market, festivals)		2,000.00
Fundraising & cultural events)		28,950.00
	\$	28,950.00

All figures are estimates. Any additional or unused BID receipts will be used for advertising, events, office expenses or area beautification.

4. There are no proposed changes in the assessment rates. The following is a list of the current (2005/2006) assessment rates.

Zone 1

Financial Institutions	\$	550.00
Retail (Over 10 employees)		375.00
Restaurants		275.00
Professional Services		200.00
(e.g. accountants, attorneys, dentists, doctors, optometrists, realtors, insurance agents and brokers)		
Retail (10 employees or less)		200.00
Commercial Property Owners		175.00
(Those who receive income from other persons or entities for the use of that commercial property.)		
Non-retail		100.00
(e.g. artists, beauticians, dry cleaners, industrial, manufacturing, repair and wholesale)		

Zone 2

Any business	\$	75.00
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5. The association also expects \$500 in membership income from members outside the BID boundaries. Other funding from possible upcoming sources (i.e., Redevelopment Agency of San Jose, other grants submitted, events and Business Association activities) may augment the 2006-2007 budget.

Membership income outside BID	\$500
<u>BID income</u>	<u>\$28,500</u>
<u>Total</u>	<u>\$29,000</u>

Breakdown of Japantown BID Assessments

There are no proposed changes to the assessment rates. The following is a list of the current (2005-2006) assessment rates.

Zone 1

Financial Institutions	\$	550
Retail (over 10 employees)	\$	375
Restaurants	\$	275
Professional Services (e.g. accountants, attorneys, dentists, doctors, optometrists, realtors, insurance agents and brokers)	\$	200
Retail (10 employees or less)	\$	200
Commercial property owners (Those who receive income from other persons or entities for the use of that commercial property.)	\$	175
Non-retail (e.g. artists, beauticians, dry cleaners, industrial, manufacturing, repair and wholesale)	\$	100

BREAKDOWN OF BID INCOME SOURCES
2006-2007

<u>Business Classification</u>	Gross Revenue	Class Percentage of Revenue
1 Retail with over 10 employees at \$375.00	\$ 375.00	1.32
25 Retail at \$200 each	\$ 5,000.00	17.54
15 Non-retail at \$100 each	\$ 1,500.00	5.26
22 Restaurants at \$275 each	\$ 6,050.00	21.23
16 Professionals at \$200 each	\$ 3,200.00	11.23
33 Property owners at \$175 each	\$5,775.00	20.26
88 Zone 2, any business at \$75 each	\$ 6,600.00	23.16
<u>Total Revenue</u>	<u>\$28,500.00</u>	<u>100%</u>

Total number of businesses (200)
Gross Revenue: (\$28,500)



**Japantown Business Association
Board of Directors 2006-2007**

Name	Work Phone	Fax	Email	Home phone
<i>Officers</i>				
Dale Yoshihara <i>President</i> <i>Kyoto Palace</i>	408.37..6456		binisgrill@aol.com	408.225.2029
Ken Ashizawa <i>Vice President</i> <i>Soko Hardware</i>	408.294.3190	408.286.4413	krashizawa@att.net	408.251.8817
Mark Santo <i>Treasurer</i> <i>Santo Market</i>	408.295.5406	408.295.5477	Msanto@aol.com	408.227.1633
Steve Sakai <i>Secretary</i> <i>Uchida Travel</i>	408.293.3399	408.293.1617	Uchidatrvl@aol.com	408.298.3612
<i>Ambassadors</i>				
Bill Furukawa <i>Furukawa Watch</i> <i>Repair</i>	408.293.3939			408.295.9250
Peter Enright <i>Phil Wood Co, Inc</i>	408 298.1540	408.298.9016	pwood@philwood.com	408.274.3887
Tom Kumamaru <i>Shuei-do Manju</i> <i>Shop</i>	408.294.4148		KUMO6@aol.com	408.293.2399
Jim Nagareda <i>Nagareda Studios,</i> <i>Nikei Traditions</i>	408.971.6456	408.292.3984	nagastudio@aol.com	408.288.8809
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Todd Fujinaga <i>Attorney at Law</i>	408.278.7700		tfujinaga@sprynet.com	
Kathy Sakamoto <i>Executive Director</i>	408.298.4303	408.286.4413	sanjosejtown@sbcglobal.net	408.251.2305

Terms of office renewable

JAPANTOWN BID ADDRESS RANGE
2006-2007

ZONE 1		<u>ZONE 2</u>	
East Taylor Street	131-275 odd 52-274 even	East Taylor Street	2-50 even 281-340 all
Jackson Street	80-300 all	Jackson Street	1-79 all
North Third Street	600, 601, 608 & 698	North First Street	598-698 even
North Fourth Street	573-605 odd 576-620 even 680-702 all	North Second Street	595-694 all
North Fifth Street	575-607 odd 590-640 even +683, 690 & 695	North Third Street	607, 609-694 all
North Sixth Street	520-702 all	North Fourth Street	607-679 odd 624-674 even
		North Fifth Street	565-573 odd 613-681 odd 560-580 even 650-680 even
		North Seventh Street	598-702 all