

## ATTACHMENT B

### RESOLUTION NO. 2020- 65

#### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH, CALIFORNIA, CONFIRMING THE LEVYING OF ASSESSMENTS FOR THE FISCAL YEAR OF JULY 1, 2020 TO JUNE 30, 2021 FOR THE NEWPORT BEACH RESTAURANT ASSOCIATION BUSINESS IMPROVEMENT DISTRICT**

**WHEREAS**, on June 9, 2020, the Newport Beach Restaurant Association Business Improvement District annual report and budget was filed and approved by the City Council;

**WHEREAS**, on June 9, 2020, the City Council adopted Resolution 2020-59 declaring City Council's intention to levy assessments for the Newport Beach Restaurant Association Business Improvement District for fiscal year July 1, 2020 to June 30, 2021;

**WHEREAS**, on June 13, 2020, the City Clerk published Resolution No. 2020-59 declaring the City Council's intention to levy assessments for the Newport Beach Restaurant Association Business Improvement District for fiscal year July 1, 2020 to June 30, 2021; and

**WHEREAS**, a public hearing regarding the renewal of the Newport Beach Restaurant Association Business Improvement District was held on June 23, 2020, without a majority protest.

**NOW, THEREFORE**, the City Council of the City of Newport Beach resolves as follows:

**Section 1:** The City Council hereby confirms the levying of assessments as described in Resolution 2020-59 dated June 9, 2020, for the Newport Beach Restaurant Association Business Improvement District for the fiscal year July 1, 2020 to June 30, 2021.

**Section 2:** The recitals provided in this resolution are true and correct and are incorporated into the operative part of this resolution.

**Section 3:** If any section, subsection, sentence, clause or phrase of this resolution is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this resolution. The City Council hereby declares that it would have passed this resolution, and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

**Section 4:** The City Council finds the adoption of this resolution is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

**Section 5:** This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify the vote adopting the resolution.

**ADOPTED** this 23rd day of June, 2020.

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Will O'Neill  
Mayor

**ATTEST:**

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Leilani I. Brown  
City Clerk

**APPROVED AS TO FORM:**  
CITY ATTORNEY'S OFFICE

  
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Aaron C. Harp  
City Attorney