

ORDINANCE NUMBER O- 15647 (New Series)

Adopted on JAN 04 1982

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO ESTABLISHING THE GASLAMP QUARTER BUSINESS IMPROVEMENT DISTRICT PURSUANT TO THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1979 AND LEVYING AN ASSESSMENT AND CHARGE THEREIN FOR UPGRADING AND PROMOTING THE AREA.

WHEREAS, under and pursuant to the provisions of the Parking and Business Improvement Area Law of 1979, Section 36500 et seq. of the State of California Streets and Highways Code, herein called "said Law," this Council on NOV 2 1981, adopted Resolution No. R- 255317 a resolution declaring an intention to form a parking and business improvement area known as "Gaslamp Quarter Business Improvement District," providing for the levy of an assessment and charge to be imposed therein, fixing the time and place for hearing and giving notice thereof; and

WHEREAS, said Resolution No. R- 255317 was duly published, and copies thereof were mailed, as provided by said Law; and

WHEREAS, as specified in said Resolution No. R- 255317, a hearing concerning the formation of said area was held before this Council on JAN 04 1982 at the hour of 2:00 o'clock in the Council Chambers in the City Administration Building located at Second Avenue and "C" Street in the City of San Diego; and

WHEREAS, at said hearing, all protests, both written and oral, made or filed, were considered and duly overruled and denied and this Council determined that there was no majority protest within the meaning of Section 36523 of said Law; NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That pursuant to said Law, a parking and business improvement area is hereby established, to be known as "Gaslamp Quarter Business Improvement District," herein called "Area," with boundaries of said Area described as all that area located southerly of the centerline of Broadway, northerly of the San Diego and Arizona Eastern Railway right-of-way, westerly of the centerline of Broadway, westerly of the centerline of Sixth Avenue, and easterly of the centerline of Fourth Avenue except between the centerlines of Market Street and Island Avenue where the area extends westerly to include the easterly half of Block 94 of Horton's Addition and the abutting streets to the centerline thereof, as shown on a map thereof on file in the office of the City Clerk as Document No. RR- **255317**

Section 2. That the purpose for forming the Gaslamp Quarter Business Improvement District is to provide revenue to defray the cost of any of the following:

- (a) The acquisition, construction, or maintenance of parking facilities for the benefit of the area.
- (b) Decoration of any public place in the area.
- (c) Promotion of public events which are to take place on or in public places in the area.
- (d) Furnishing of music in any public place in the area.
- (e) The general promotion of business activities in the area.

The specific services and programs to be provided are those listed in Exhibit A, which is attached hereto and by this reference made a part hereof, and the services and programs listed thereon are the uses to which the revenue generated by the charges to be levied will be put.

Section 3. That all businesses operating in the above-described area will be charged a share of the costs of the aforesaid services and programs according to the size of the business and benefit received determined as follows:

a. CATEGORY OF BENEFIT A

This category proposes no charge to non-profit, tax exempt charitable organizations. This category includes but is not limited to the following:

Goodwill

City Rescue Mission

b. CATEGORY OF BENEFIT B

This category proposes a charge of \$50.00 plus \$2.00 per full-time employee upon those businesses which benefit from the general enhancement of business activity derived from those services and programs listed in Exhibit A. The increased visibility generated by the BID would not significantly benefit this category of business. These businesses include but are not limited to the following:

Manufacturers & Manufacturing Representatives

Auctioneers

Ambulance Companies & Emergency Vehicles

Storage Facilities (Automobiles, Boats & Airplanes)

Utility Companies

Credit Collection Bureaus

Film & Video Production Companies

Laboratories

Accounting/Bookkeeping Services

Secretarial Services

c. CATEGORY OF BENEFIT C

This category proposes a charge of \$70.00 plus \$4.00 per full-time employee upon those businesses which benefit significantly from the enhancement of business activity derived from those services and programs listed in Exhibit A. The increased visibility generated by the BID would significantly impact the business activity and improve the overall business climate of businesses in this category. These businesses include but are not limited to the following:

Retail Shops

Repair Shops

Restaurants

Theaters

Arcades

Hardware/Hardware Supplies

Legal Services

Advertising Agency

General Contractor

Miscellaneous Business Services

Building Materials

Vocational Schools

Decorator/Designers

Meat/Fish Supply

Grocery

Nursery Supply

Engineer/Architect

General Products

Photo-Commercial

Investment Companies

Galleries

Jewelry

Parking Lots

Real Estate

Note: Banks, hotels and motels are included in this category.  
All other businesses not identified in Categories A or B above  
are included in this category.

The costs of such services and programs are shown on Exhibit A incorporated herein.

The total charge collected from any business under the provisions of the ordinance shall not exceed \$250.00 per annum. The charge shall be levied upon the business at the time of payment of the annual business license fee.

Section 4. That this City Council hereby finds and determines that the public convenience and necessity require the establishment of the Area hereinbefore described and that all of the businesses lying within the Area will be benefited by the expenditure of the funds raised by the assessments or charges proposed to be levied.

Section 5. That all protests, both written and oral, are overruled and denied and the City Council finds that there is no majority protest within the meaning of Section 36523 of said Law.

Section 6. That all of the businesses in the Area established by this ordinance shall be subject to any amendments to the provisions of the Parking and Business Improvement Area Law of 1979, Section 36500 et seq. of the State of California Streets and Highways Code.

Section 7. This ordinance shall take effect and be in force on the thirtieth day from and after its passage, and no building permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefor was made prior to the date of adoption of this ordinance.

APPROVED: John W. Witt, City Attorney

By *Janis Sammartino Gardner*  
Janis Sammartino Gardner  
Deputy City Attorney

JSG:vl:630

09/25/81

Or.Dept:Planning

Form=o.rezx

0-82-57

GASLAMP QUARTER  
BUSINESS IMPROVEMENT DISTRICT

PROPOSED BUDGET  
(Gaslamp Quarter Association Proposal)

FISCAL 1982

<u>Description of Benefit/Service Provided</u>	<u>Estimated Cost</u>
1. Gaslamp Quarter Promotion	
A. Monthly events (music, art, public events) 6/year at \$500/month 6/year at \$200 month	\$ 4,200
B. Communications & Publications	
1. Gaslamp Quarter Promotional Brochure (1,500 copies)	\$ 3,000
2. Gaslamp Quarter Retail Guide (10,000 copies)	\$ 1,500
2. Security Program	
A. Start-up support for Gaslamp Quarter Merchant Patrol 3 months at \$1,600/month	\$ 4,800
3. Merchant Advertising	
Development of Gaslamp Quarter Cooperative Advertising Program. Includes cost of production and placement of ads up to \$400/month	\$ 4,800
4. Business Development	
A. Business Recruiting Press Kits (2,000)	\$ 1,500
B. Business Recruiting Tours & Outreach	\$ 500
5. Signing Program - Kiosk Signing	
Promotion and Merchant Advertising Program - printing, installation, design costs and sales expenses of Gaslamp Quarter Kiosks. (Does not include maintenance of Kiosk structure.)	\$ 4,000
6. Agency fee for execution of items 1, 3, 4 & 5 (17.5%)	\$ 3,415

EXHIBIT A

00037

0-15647

<u>Description of Benefit/Service Provided</u>	<u>Estimated Cost</u>
7. Gaslamp Quarter Association Administrative Cost (10%)	\$ 2,785
8. Reimbursement of City Data Processing Corp. Charge - \$1,000 (\$5,000 balance owed)	\$ 1,000
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TOTAL	\$ 31,500

Supplemental Budget Proposal

In the event that BID collections exceed \$31,500, the Gaslamp Quarter Association requests authorization to expend these additional revenues in proportion to items 1, 3, 4, 6 & 7 of the Basic BID Budget. The amount of additional collections is totally dependent upon the number of new businesses to be established within the Quarter during the coming year.

EXHIBIT A

0-15647  
00038



JAN 04 1982

Passed and adopted by the Council of The City of San Diego on \_\_\_\_\_  
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Raymond G. Pontecorvo, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

DEC 7 1981

JAN 04 1982

\_\_\_\_\_ , and on \_\_\_\_\_

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Raymond G. Pontecorvo, Deputy.

Office of the City Clerk, San Diego, California

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