

(O-88-4)

ORDINANCE NUMBER O- 16924 (NEW SERIES)

ADOPTED ON AUG 10 1987

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO ESTABLISHING THE GATEWAY CENTER EAST 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 JUL 14 1987, 1987, adopted Resolution No. R-268872, a resolution declaring an intention to form a parking and business improvement area known as "Gateway Center East 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- 268872 was duly published, and copies thereof were mailed, as provided by said Law; and

WHEREAS, as specified in said Resolution No. R- 268872, a hearing concerning the formation of said area was held before this Council on July 28, 1987, at the hour of 10:00 a.m. o'clock in the Council Chambers in the City Administration Building, 202 C Street, San Diego, California 92101; 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. Pursuant to said Law, a parking and business improvement area is hereby established, to be known as "Gateway Center East Business Improvement District," herein called "District." The area to be included in the District includes the lots within the Gateway Center East Project:

<u>Lot Number</u>	<u>Square Feet</u>	<u>Percentage of Cost</u>
1a	261,360	15.2
1b	261,360	15.2
2	60,287	3.5
3	49,745	2.9
4	76,622	4.5
5	44,693	2.6
6	268,286	15.6
7	51,706	3.0
8	49,615	3.0
9	49,005	2.9
10	PARK	
11	62,291	3.6
12	31,058	1.8
13	33,584	2.0
14	34,804	2.0
15	44,997	2.6
16	47,611	2.8
17	44,083	2.6
18	28,401	1.7
19	53,361	3.1
20	41,731	2.4
21	41,905	2.4
22	38,289	2.2
23	41,164	2.4
TOTALS	1,715,958	100%

A map depicting the District is attached hereto as Exhibit A and incorporated herein by reference.

Section 2. The purpose of forming the aforementioned District as a parking and business improvement area under the aforementioned Business and Improvement Area Law is to provide revenue to defray the costs of services and programs which will benefit businesses in the area. The 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. All businesses operating in the above-described area will be charged a percentage of the costs of the aforementioned services and programs according to the net square footage of the lot.

The charge is an annual charge and shall be levied, collected and enforced in the same manner, at the same time, and with the same penalties and interest as in the case of the general business license. For those businesses licensed for other than an annual license period, the City Treasurer shall determine the charge to be levied upon issuance of the City business license.

Section 4. That the 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 protest, both written and oral, are overruled and denied and the Council finds that there is not 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. That all of the charges imposed pursuant to this ordinance be reviewed by the Council annually.

Section 8. This ordinance shall take effect and be in force on the thirtieth (30th) day from and after its passage, and no business licenses for commercial activities 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

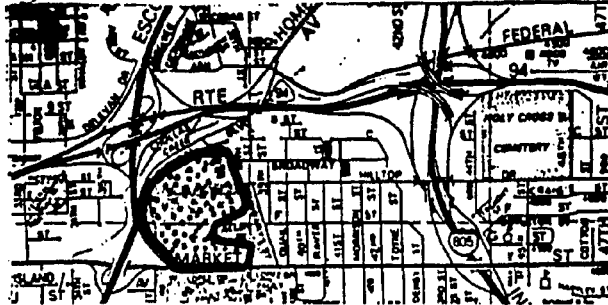
By


Janis Sammartino Gardner
Deputy City Attorney

JSG:ta
07/16/87
Of. Dept: SEDC
O-88-4
Form=o.bid

GATEWAY CENTER EAST
BUSINESS IMPROVEMENT DISTRICT

BOUNDARIES



ESTIMATED NUMBER OF BUSINESS TAX HOLDERS

Commercial 23

ASSESSMENT RATES

By Square Footage
Total of 11 different size ranges

High	\$5,500
Low	\$ 530
Average	\$2,891

BUDGET (First Year Estimated)

Security Services Contract	\$30,172
Administration 5% including bookkeeping	1,509
Reserve (10%)	3,017
Total Expenses	<u>\$34,698</u>

SERVICES AND PROGRAMS

Security Services contract to provide one (1) unarmed guard with one (1) vehicle to patrol the Gateway Center East business area, 9 hours per day, 7 day- per week.

OPERATING ENTITY

Southeast Economic Development Corporation (SEDC).

AUG 10 1987

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

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<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"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Celia Ballesteros	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

(Seal)

By *June G. Blackwell*, 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

JUL 28 1987

AUG 10 1987

....., 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 *June G. Blackwell*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **0-16924** Adopted **AUG 10 1987**