

RESOLUTION NUMBER R- 286021

ADOPTED ON JUN 26 1995

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DECLARING ITS INTENTION TO ESTABLISH THE OLD TOWN BUSINESS IMPROVEMENT DISTRICT PURSUANT TO THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989.

WHEREAS, the Council of The City of San Diego desires to form a parking and business improvement area to be known as "Old Town Business Improvement District" pursuant to the Parking and Business Improvement Area Law of 1989, codified in California Streets and Highways Code section 36500 et seq., in accordance with the wishes of the many businesses in the area; NOW, THEREFORE,

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

1. That the Council hereby declares its intention to form a parking and business improvement area to be known as the "Old Town Business Improvement District" (the "District") pursuant to the Parking and Business Improvement Area Law of 1989 (the "Law").

2. That the area to be included in the District includes the Old Town community area within the following address ranges:

Street Name	Range of Addresses by Zone	
	Zone #1	Zone #2
Ampudia Street	3950 - 4000	3800 - 3949
Arista Street	3950 - 4000	3800 - 3949
Calhoun Street	2500 - 3000	-----
Conde Street	3950 - 4099	3700 - 3949 and 4100 - 4200
Congress Street	2200 - 3000	-----
Cosoy Way	-----	4000 - 4300

Gaines Street	3900 - 4300	-----	
Hancock Street	-----	2155 - 2300	
Harney Street	3950 - 4099	3800 - 3949	and
		4100 - 4200	
Heritage Park Row	-----	2300 - 2600	
Hortensia Street	-----	3800 - 3900	
Jackson Street	-----	2500 - 2900	
Jefferson Street	-----	2300 - 2600	
Juan Street	2400 - 3000	-----	
Kurtz Street	-----	2100 - 2300	
Linwood Street	-----	2300 - 2500	
Mason Street	3950 - 4099	3900 - 3949	and
		4100 - 4300	
Moore Drive	-----	2200 - 2400	
Noell Street	-----	3600 - 3700	
Old Town Avenue	3800 - 4000	-----	
Pacific Highway	-----	4201 - 4399	(odd #s)
		4400 - 4850	(all #s)
Presidio Drive	-----	2200 - 2500	
Presidio Pt. Observation	-----	All Numbers	
Rosecrans Street	3900 - 4300	-----	
San Diego Avenue	2300 - 4300	1700 - 2299	
Smith Street	-----	1700 - 2299	
Sunset Street	2850 - 3000	2600 - 2849	
Taylor Street	4000 - 4105	4106 - 4500	
Twiggs Street	3800 - 4099	4100 - 4200	
Wallace Street	3800 - 4099	4100 - 4200	
Whitman Street	-----	2400 - 2900	
Wright Street	-----	3700 - 3800	

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

3. That the purpose of forming the District as a parking and business improvement area under the 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 incorporated by this reference. The services and programs listed on Exhibit A are the uses to which the revenue generated by the assessments to be levied, will be put.

4. That all businesses operating in the District shall be assessed a share of the costs of the aforementioned services and

programs according to the type of business and the benefit to be received as determined by the following:

a. Description of District Zones:

(1) ZONE #1 is Taylor Street on the West, Congress Street on the South, Ampudia and Arista Streets on the East, and Juan Street to the North. Businesses in this area will receive the greatest benefit from the promotional activities of the District. (See **Address Ranges** above.)

(2) ZONE #2 is the surrounding area including Rosecrans Street to the West, Pacific Highway to the South, Washington Boulevard to the East, and Interstate 5 to the North. It is anticipated that businesses in this area will still receive a benefit, but not of the same magnitude as those in the core area of the Old Town area. (See **Address Ranges** above.)

b. Description of Categories of Benefit:

(1) CATEGORY A includes those businesses which will benefit most significantly from the increased awareness of Old Town as a place to do business and from an increase in foot traffic expected to be the end product of the promotional activities of the District.

The category includes but is not limited to:

Large retailers and restaurants with 13 employees or more

(2) CATEGORY B includes those businesses which interact with the public to a lesser extent than

CATEGORY A, but these businesses will benefit from the increased awareness of Mission Mills as a place to do business and from an increase in foot and automobile traffic expected to be the end product of the promotional activities of the District. The category includes:

Small retailers and restaurants with 12 employees or less

(3) CATEGORY C includes those businesses which interact with the public to a lesser extent than CATEGORIES A and B and are predominantly services related. The category includes but is not limited to:

Accountants/Secretarial Services
Advertising Agencies
Architects/Planners
Attorneys
Business Management Firms
Dentists
Designers
Doctors
Engineers
Film and Video Production Companies
Hospitals/Medical Services
Investigative Services
Investment Companies
Laboratories
Mortuaries
Nursery Schools
Pet Groomers
Photographers
Printers
Property Management Companies
Real Estate Agencies
Storage Facilities
Wholesale Manufacturing/Distributors

(4) CATEGORY D includes Hotels, Motels and Apartment Buildings and is subdivided by size as follows:

CATEGORY D1	6-20	Units
CATEGORY D2	21-65	Units
CATEGORY D3	-66+	Units

(5) For the purposes of this resolution, a "retailer" shall be deemed as any business which remits sales tax to the State of California Board of Equalization on a regular basis. Businesses not specifically identified in CATEGORIES A, B, C, or D shall be categorized by the City Treasurer upon application for a City Business Tax Certificate.

c. The assessment to be imposed for those District businesses by Zone and Category of Benefit are as follows:

	Zone #1	Zone #2
CATEGORY A	\$ 200	\$ 150
CATEGORY B	100	75
CATEGORY C	40	30
CATEGORY D1	50	50
CATEGORY D2	200	200
CATEGORY D3	400	400

The above-described assessment 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 business tax certificate. For those businesses taxed for other than an annual tax period, the City Treasurer shall determine the assessment to be levied upon issuance of the City business tax certificate.

The total assessment collected from any business under the provisions of the ordinance shall not exceed four hundred dollars (\$400) per annum.

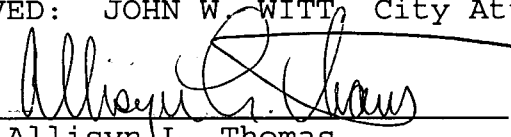
5. That pursuant to Government Code section 54954.5, notice is hereby given that Tuesday, August 1, 1995, at the hour of 10:00 a.m., in the Council Chambers of the City Administration Building, 202 C Street, San Diego, California, is fixed as the time and place when the City Council shall conduct a public meeting where any and all persons having any desire to be heard may appear and state their views for or against the formation of the aforementioned parking and business improvement area.

6. That pursuant to Government Code section 54954.5, notice is hereby given, that Tuesday, August 15, 1995, at the hour of 10:00 a.m., in the Council Chambers of the City Administration Building, 202 C Street, San Diego, California, is fixed as the time and place when the City Council shall conduct a public hearing where any and all persons having any desire to be heard may appear and state their views for or against the formation of the aforementioned parking and business improvement area.

7. That the City Clerk is hereby directed to give notice of the mentioned public meeting and public hearing by both publication and mailing pursuant to Streets and Highways Code section 36522 of the Streets and Highways Code.

APPROVED: JOHN W. WITT, City Attorney

By

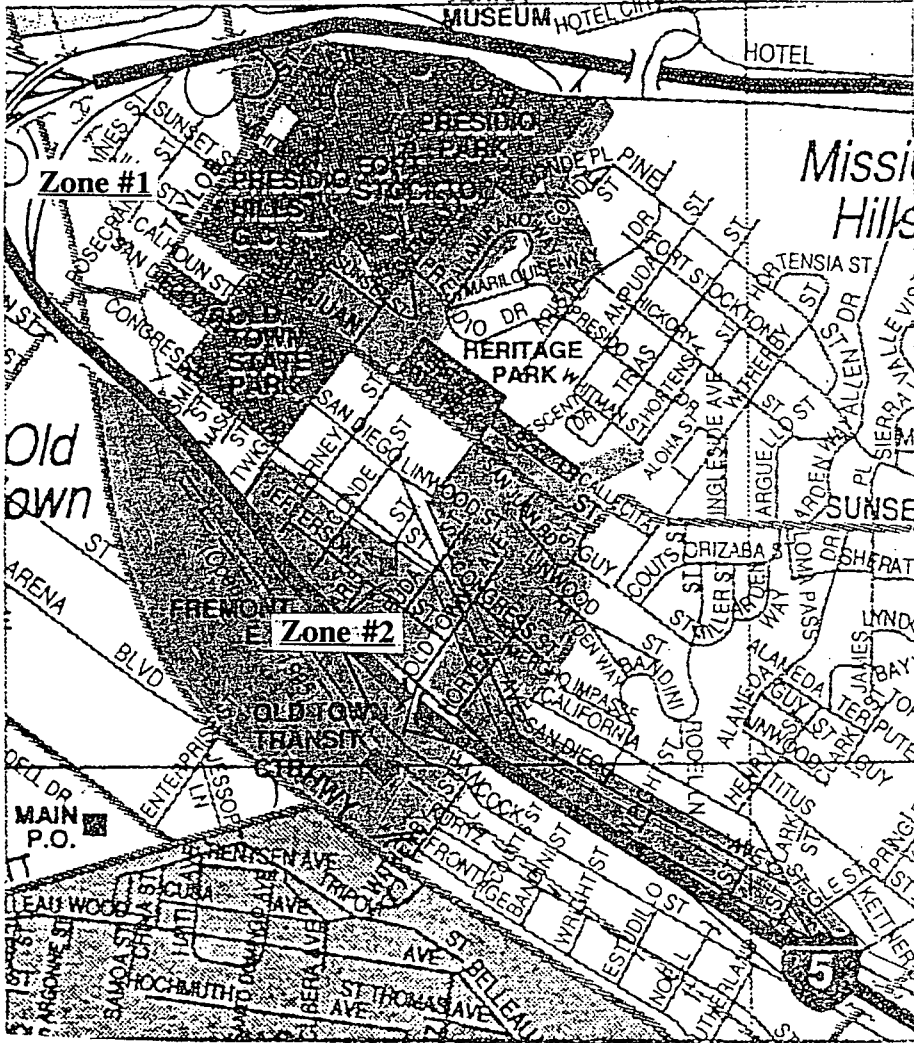

Allisyn L. Thomas
Deputy City Attorney

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"Exhibit A"

Proposed Old Town Business Improvement District

Boundaries



Map Legend

Zone #1 Taylor Street on the West, Congress Street on the South, Ampudia & Arista Streets on the East and Juan Street on the North.

Zone #2 Surrounding area including Rosecrans Street to the West, Pacific Highway to the South, Washington Street to the East and Interstate 5 to the North.

Assessment Rates

	ZONE 1	ZONE 2
CATEGORY A LARGE RETAILERS & RESTAURANTS 13+ EMPLOYEES	\$200 ANNUALLY	\$150 ANNUALLY
CATEGORY B SMALL RETAILERS & RESTAURANTS 0 - 12 EMPLOYEES	\$100 ANNUALLY	\$75 ANNUALLY
CATEGORY C SERVICES & MANUFACTURING	\$40 ANNUALLY	\$30 ANNUALLY

Estimated Number of Businesses

Commercial	375
Hotel, Motel & Apartments	35
	410

Estimated Annual Budget

Administration	\$10,000
Promotions	\$10,000
Advertising	\$10,000
	\$30,000

Hotels & Apartments

6-20 Units	21-65 Units	66+ Units
\$50 ANNUALLY	\$200 ANNUALLY	\$400 ANNUALLY

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