

RESOLUTION NUMBER R- 286719

ADOPTED ON DEC 04 1995

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO DECLARING ITS INTENTION TO
ESTABLISH THE DIAMOND BUSINESS IMPROVEMENT
DISTRICT (BID") PURSUANT TO THE PARKING AND
BUSINESS IMPROVEMENT 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 the
"Diamond Business Improvement District" pursuant to the Parking
and Business Improvement Area Law of 1989 (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
"Diamond Business Improvement District" (the "District") pursuant
to the Parking and Business Improvement Area Law of 1989 (Streets
and Highways Code section 36500, et seq.).

2. That the area to be included in the District includes
the Diamond business community area within the 4th Council
District with the following address ranges:

Street Name	Range of Addresses by Zone	
	Zone #1	Zone #2
Gateway Center Drive	700-800	
Gateway Center Way	600-1000	
Gateway Center Ave.	700-800	
Market Street	3900-5000	5001-5400
Whitmore	3900-4000	

Lockridge	3900-4100	
Raven	4000-4100	
N. 47th St.	100-1650	
S. 47th St.		100-1000
Naranja		5000-5400
Air Way	4500-4800	
Federal Blvd.	4400-5300	
54th St.	1800-1962	
N. Euclid Ave.	100-1913	
S. Euclid Ave.	100-1000	
Akins Ave.		5900-6700
Lisbon Ave.	6900-7000	
69th St.	500-700	
Imperial Ave.	4400-6945	
63rd St.	400-500	
61st St.	400-500	
Churchward St.	5000-5150	
Logan Ave.	4600-5150	

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

3. That 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 assessments to be levied will be put.

4. That all businesses operating in the above-described area will 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 Gateway Center Drive, Gateway Center Way, Gateway Center Ave., Market Street (west of 5000), Whitmore, Lockridge, Raven, N. 47th St., Air Way, Federal Blvd., 54th St., N. Euclid, S. Euclid, Lisbon, 69th St., Imperial Ave., 63rd St., 61st St. and Churchward St. Businesses in this area will receive the greatest benefit from the promotional activities, marketing of and overall activities of the District. (See Address Ranges above.)

2. Zone #2 is Market Street, east of 5001, S. 47th St. Naranja and Akins Ave. It is anticipated that businesses in this area will receive a benefit, but not of the same magnitude as those in the historically established commercial corridors of the Diamond BID. (See Address Ranges above.)

B. Description of Categories of Benefit:

1. Category 1 includes those businesses which will gain the most from increased commercial activity as well as a revitalized commercial corridor in those areas directly adjacent to or surrounding their anchor business. This special category includes but is not limited to: Banks, finance companies, loan centers, major media, major private distribution and mail carriers, major chain grocery and drug stores, chain department stores, major theatres, private recreation centers, entertainment centers, major bottling corporations.

2. Category 2 includes those businesses, particularly retail outlets, that are expected to derive direct

benefit from the establishment of the Diamond BID. These retail outlets are generally less than 10,000 sq. feet and would include, but not be limited to such businesses as: restaurants, coffee shops, delis, bars, nightclubs, bakeries, micro breweries, specialty stores, ice cream and yogurt, photo finishing and production, flower and floral, musical instruments, retail recorded music, bookstores, hair beauty salons, pet stores, bike shops, liquor stores, produce stores, small grocery stores, art supply, office supply, new and used clothing, electronics, landscaping and nursery, retail service stations, Motels, Hotels, community newspapers, radio stations, antique and second hand stores, beauty supply, etc.

3. Category 3 includes those businesses which interact with the public to a lesser extent than Categories 1 or 2, and are predominantly service related. The Category includes but is not limited to: medical professionals, lawyers, architects, CPAs, engineers, consultants, planners, office repair, appliance repair, stock brokers, financial planners, gyms, graphic artists, temporary services, recording studios, shoe and clothing repair, key/locksmith, interior design, hardware stores, travel agencies, print and copy stores, board and care facilities, retirement homes, nursing homes, automotive sales/repair, auto supply, car wash/detailing, etc.

4. Category 4 are those businesses that are expected to derive indirect benefit from the establishment of the District. They include but are not limited to the following: home furnishings, appliances, property management, construction

companies, musical rental and repair, religious supply, wholesale printers, martial arts, manufacturers, recycling centers, private education and professional schools, sports racing, wholesale distributors, assembly plants, card rooms and laundromats, utility companies and hospitals.

5. Category 5 is any business that is owner operated, sole proprietor/no employees and personal services NOT retail in nature. Examples given include beauticians working under a beauty parlor owners retail outlet, temporary street vendors operating in the district, regular vendors at farmers markets or entrepreneurial fairs, agents working under a brokers license.

6. EXCLUSIONS: The following businesses and business locations shall be excluded from assessment provisions under the District: All of those businesses and business license holders operating under the FAM Mart roof on N. Euclid Ave. (1755 N. Euclid), all non-profit corporations, apartment buildings or business license holders, catering truck drivers operating out of Moody's Catering Service on Market Street (4637 Market).

7. For the purposes of this resolution "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 1, 2, 3, 4 and 5 shall be categorized by the City Treasurer upon application of a City Business Tax Certificate.

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

	<u>Zone #1</u>	<u>Zone #2</u>
Category 1	\$ 500.00	\$ 300.00
Category 2	\$ 180.00	\$ 120.00
Category 3	\$ 100.00	\$ 80.00
Category 4	\$ 90.00	\$ 60.00
Category 5	\$ 80.00	\$ 60.00

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 resolution shall not exceed \$500.00 per annum.

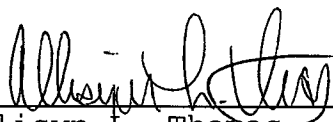
5. That pursuant to Section 54954.5 of the Government Code, notice is hereby given, that January 16, 1996, at the hour of 10:00, as soon as thereafter as it may be heard, in the City Council Chambers of the City Administration Building, 202 C Street, San Diego, California, is fixed as the time and place when the 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.

Also pursuant to Section 54954.5 of the Government Code, notice is hereby given, that February 6, 1996 at the hour of 10:00, as soon as thereafter that it may be heard, in the City 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.

6. That the City Clerk is hereby directed to give notice of the mentioned meeting and hearing by both publication and mailing pursuant to Section 54954.5 of the Government Code.

APPROVED: JOHN W. WITT, City Attorney

By 
Allisyn L. Thomas
Deputy City Attorney

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"Exhibit A"

Proposed Diamond Business Improvement District

Gateway/Mt. Hope Bus. District: Zone 1

Boundaries

Euclid/54th Corridor: Zone 1

King Freeway

Market St. East of Euclid: Zone 2 Also Akins & Naranja

Federal Blvd. Zone 1

Map Legend

Zone #1 Bounded on the north by the Webster business district, on the west by the Gateway/Mt. Hope business district, on the south by the Lincoln/Valencia Park business district and on the east by the Encanto business district

Zone #2 Various streets within the Diamond which are off the main commercial corridors including S. 47th Street, Market St. east of Euclid, Naranja and Akins Avenue

Assessment Rates

Imperial Ave all Zone 1

N. 47th St. (North of Imperial): Zone 1
S. 47th St. (South of Imperial): Zone 2

Estimated Number of Businesses

Commercial 350

Estimated Annual Budget

Administration \$10,000
Promotions \$25,000
Advertising \$20,000

TOTAL BUDGET \$55,000