

RESOLUTION NUMBER R- 287950

ADOPTED ON OCT 22 1996

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DECLARING ITS INTENTION TO ESTABLISH THE LITTLE ITALY 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 the "Little Italy Business Improvement District" pursuant to the Parking and Business Improvement Area Law of 1989 (Street and Highway 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. The Council hereby declares its intention to form a parking and business improvement area to be known as the "Little Italy 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. The area to be included in the District includes the Little Italy business community area within the following address ranges:

<b>STREET NAME</b>	<b>RANGE OF ADDRESSES BY ZONE</b>
	<b><u>Zone #1</u></b>
California Street	1400 - 2500
Columbia Street	1300 - 2500
Front Street	1300 - 1700

Harbor Drive	1400 - 2500
India Street	1300 - 2500
Kettner Boulevard	1320 - 2500
Pacific Highway	1400 - 2500
State Street	1300 - 2200
Union Street	1300 - 1800

A Street	0200W - 1200W	Even Numbers Only
Ash Street	0200W - 1200W	
Beech Street	0200W - 1200W	
Cedar Street	0200W - 1200W	
Date Street	0200W - 1200W	
Elm Street	0200W - 1200W	
Fir Street	0400W - 1200W	
Grape Street	0500W - 1200W	
Hawthorne Street	0600W - 1200W	
Ivy street	0700W - 1200W	
Juniper Street	0700W - 1200W	
Kalmia Street	0800W - 1200W	
Laurel Street	0600W - 1300W	Odd Numbers Only

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

3. 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. 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: The entire business improvement district is considered to be in one zone. In general, the District is bounded by Front Street/Interstate 5 on the east, "A" Street on the south, Laurel Street on the north, and Harbor Drive on the west. (See Range of Addresses by Zone above).

**B. Description of Categories of Benefit:**

(1) Category A: Includes those manufacturers with 1,000 or more employees.

(2) Category B: Includes banks, financial institutions, major theaters, major utilities, hotels and resorts with 100 or more rooms.

(3) Category C: Includes those retail oriented businesses which will gain the most direct benefit from increased commercial activity and hotels and motels with 99 rooms or less.

(4) Category D: Includes other retail businesses and services that are expected to derive indirect benefit from the establishment of the business improvement district.

(5) Category E: Includes those businesses which provide professional services.

(6) Category F: Includes manufacturers with fewer than 1,000 employees, wholesale, and construction businesses and nonprofit organizations.

(7) Exclusions: Those business that are exempt from assessments.

These include: independent beauticians renting a booth, and home based businesses.

(8) For the purposes of this ordinance 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, D, E, and F shall be categorized by the City Treasurer upon application of a City Business Tax Certificate.

**C. Summary of Assessments:**

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

	<u>Zone #1</u>
Category A	\$5,000.00
Category B	600.00
Category C	300.00
Category D	200.00
Category E	100.00
Category F	80.00

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 ordinance shall not exceed FIVE THOUSAND DOLLARS (\$5,000) per annum.

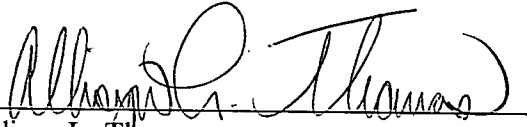
5. Pursuant to Section 54954.5 of the Government Code, notice is hereby given, that November 19, 1996, at the hour of 10:00 a.m., in the City Council Chambers of the City Administration Building, 202 C Street, San Diego, California, is fixed as the time and place when

the City Council shall conduct a public 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.

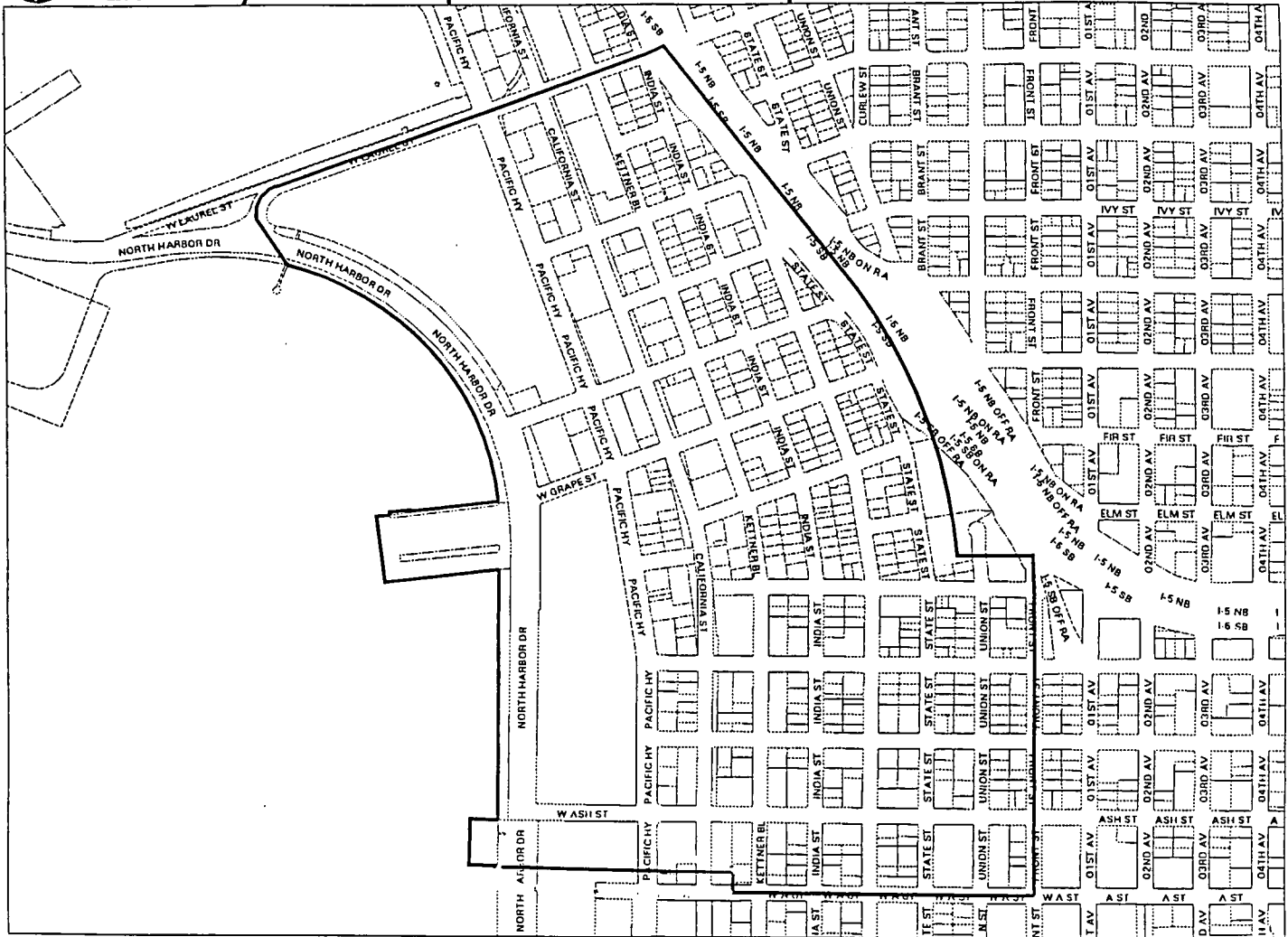
Also pursuant to Section 54954.5 of the Government Code, notice is hereby given, that December 10, 1996, at the hour of 10:00 a.m., in the City Council Chambers of the City Administration Building, 202 C Street, San Diego, California, is fixed as the time and place when the City Council shall conduct 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. 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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10/08/96  
10/11/96 COR.COPY  
10/22/96 COR.COPY  
Or.Dept:Comm.&Eco.Dev.  
Aud.Cert:N/A  
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Categories for Little Italy BID	# of Licenses	Assessment	Annual Yield
A: Manufacturing 1000+ employees.	1	\$5,000	\$5,000
B: Banks, financial institutions, major theaters, major utilities, hotels and resorts with 100+ rooms	3	\$600	\$1,800
C: Retail oriented, hotels and motels with 99 or less rooms.	43	\$300	\$12,900
D: Other retail and services.	104	\$200	\$20,800
E: Professional services.	243	\$100	\$24,300
F: Manufacturing, wholesale, construction and non-profits	56	\$80	\$4,960
<b>TOTALS</b>	<b>450</b>	<b>N/A</b>	<b>\$69,760</b>

**1996 - 1997 Budget for Little Italy BID**

**INCOME**

BID Assessments	\$69,760
CDBG Banner Grant	\$20,000
SBEP Grant	\$15,000
Special Events	\$5,000
<b>TOTAL</b>	<b>\$109,760</b>

**EXPENSES**

Special Events	\$19,000
Marketing	\$35,000
Administration	\$48,700
10% Reserve	\$7,060
<b>TOTALS</b>	<b>\$109,760</b>

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