

RESOLUTION NUMBER R- 292718

ADOPTED ON FEB 01 2000

RESOLUTION OF INTENTION TO LEVY AND COLLECT
FISCAL YEAR 2001 ANNUAL ASSESSMENTS ON
THE DOWNTOWN PROPERTY AND BUSINESS
IMPROVEMENT DISTRICT

BE IT RESOLVED, by the Council of The City of San Diego, that this Council proposes and intends to levy and collect assessments to pay a portion of the cost of future maintenance of trees, litter/graffiti control, sidewalk cleaning, landscape and park maintenance, street lighting, and enhanced public safety measures, located within the boundaries of the downtown Property and Business Improvement District [PBID] in the City, pursuant to the provisions of Article XIII D of the California Constitution, sections 36621 and 36623 of the California Streets & Highways Code, and sections 53739, 53750, 53753, and 54954.6 of the California Government Code [collectively referred to herein as the Law]. Such maintenance and services being more particularly described as follows:

Section 1

DESCRIPTION OF AUTHORIZED ACTIVITIES

The proposed maintenance and safety services consist in general of those items described in the management district plan, Exhibit "A" attached hereto.

The maintenance and safety services shall be for a period of five years, commencing on July 1, 2001 and terminating on June 30, 2006.

Section 2

DESCRIPTION OF PBID

The PBID is described as follows:

All that real property in the City of San Diego included within the exterior boundary lines of the map designated as the PBID, filed in the office of the City Clerk under Document No. L-21, excepting therefrom all public streets, roads, alleys, avenues and highways.

Reference is made hereby to the map for a further and more particular description of the PBID, and as on file shall govern for all details as to the extent of the PBID.

Section 3

ASSESSMENT OF COST AND EXPENSE

The expenses for the contemplated maintenance and safety services are made chargeable upon the PBID, and the Council hereby declares that the properties within the PBID receive special benefit by the maintenance and safety services to be provided.

The Council proposes to assess those properties within the PBID which receive a special benefit from the maintenance and safety services for the total amounts of such costs of the PBID, plus the incidental expenses thereto, to be received by the individual parcels of real property within the PBID.

The Council may order a portion of the costs of maintenance and safety services to be paid by the City from appropriate funds.

A statement of the proposed assessments levied against the lots or parcels of land, as shown on the map referred to in Section 2 above, is on file in the office of Economic Development of the City.

Section 4

TIME AND PLACE OF HEARING

The City Clerk is hereby directed to set a date for a public hearing for the proposed assessments that is at least 45 days after the mailing of the assessment ballots. Such hearing shall be held February 22, 2000 at 10:00 a.m. in the Council Chambers of the City Administration Building, Community Concourse, 202 C Street, in the City of San Diego, California, and such is the day, hour and place for the hearing when any person interested may object to the proposed maintenance and safety services, or the amount of the assessment. The hearing may be continued from time to time. Failure to make objections at the time of the hearing, or any continuance thereof, will be deemed to be a waiver of all objections and shall operate as a bar for any claim for damages. Such protests, if any, must be in writing and must contain a description of the property in which each signer thereof is interested, sufficient to identify the same and shall be delivered to and filed with the City Clerk at a time no later than the hour set for the hearing or continuance thereof.

Persons desiring to make inquiries regarding these proceedings are hereby advised that they may contact Jeff Kavar, Deputy Director, Economic Development, at the City Administration Building, 202 C Street, MS 3A, San Diego, California 92101 or telephone (619) 236-6039.

Section 5

NOTICE OF HEARING

The City Clerk is directed to cause a notice of the hearing and assessment ballots to be mailed at least forty-five (45) days before the date of the hearing, postage prepaid, to all affected property owners, whose names and addresses appear on the last equalized County Assessment Roll, all in the manner and form provided for in the Law.

Section 6

ADDITIONAL CONDITIONS

The City Manager is directed to work with the City employees affected by the establishment of the PBID, the unions representing said employees, and the individuals responsible for formation of the PBID to address the concerns of the employees and unions regarding the employees' continued employment with the City and the status of the positions that will be replaced by workers retained by the PBID management.

APPROVED: CASEY GWINN, City Attorney

By Theresa C. McAteer
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