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RESOLUTION NUMBER R- 303285

DATE OF FINAL PASSAGE JAN 18 2008

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO REGARDING THE FY 2008 AGREEMENT
BETWEEN THE CITY OF SAN DIEGO AND THE BUSINESS
IMPROVEMENT DISTRICT COUNCIL IN CONNECTION
WITH THE SMALL BUSINESS ENHANCEMENT PROGRAM.

WHEREAS, the purpose of the Small Business Enhancement Program [SBEP] is to provide continuing support to small businesses in recognition of their vital economic, employment, service, and cultural roles, and their importance in sustaining and revitalizing older commercial and residential areas; and

WHEREAS, on June 8, 1999, the City Council adopted Council Policy 900-15 ("Small Business Enhancement Program"), which, among other things, incorporates a funding allocation formula, which specifically requires that SBEP funds be allocated 50/50 between City-wide business assistance programs and Business Improvement District [BID] programs, with administration ceded to the Economic Development Division's Office of Small Business [OSB] and the Business Improvement District Council [BIDC], respectively; and

WHEREAS, the BIDC uses the SBEP funds to provide services to its member organizations which oversee the City's BID's and to benefit a variety of local chambers and micro-business organizations located in commercial neighborhoods throughout the City; and

WHEREAS, the BIDC is also the sponsor of City Care, a health insurance program established by the BIDC for small businesses registered with the City of San Diego; and

WHEREAS, the 50/50 funding allocation between the OSB and BIDC had been explicitly spelled out in previous Annual Budgets, so that the funds for the BIDC were approved by Council as part of the budget and appropriation process; and

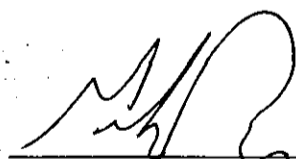
WHEREAS, for FY 2008, however, the allocation to the BIDC was not explicitly stated in the budget documents, and therefore, the present action is necessary to authorize the execution of the FY 2008 Agreement between the City and the BIDC, and to authorize the allocation and expenditure of SBEP funds for this Agreement; NOW, THEREFORE,

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

1. That the Mayor (or his designee) is authorized to execute the FY 2008 Agreement between the City of San Diego and the Business Improvement District Council to expend an amount not to exceed \$688,802 in Small Business Enhancement Program [SBEP] funds for the provision of economic development services, contingent upon certification of funds availability by the City Auditor and Comptroller.
2. That the City Auditor and Comptroller is authorized to appropriate and expend an amount not to exceed \$688,802 in SBEP funds for this purpose.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By



Michael D. Neumeyer
Deputy City Attorney

MDN:nda
11/28/07
Or.Dept: City Planning and Community Investment
R-2008-458
MMS#3249

(R-2008-458)

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JAN 07 2008.

ELIZABETH S. MALAND
City Clerk

By Sara Richardson
Deputy City Clerk

Approved: 1-18-08
(date)

JSL
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

**The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

CERTIFICATE OF UNALLOTTED BALANCE

AC 2800402

ORIGINATING

DEPT. NO.: 10527/065

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: _____ Fund: _____

Purpose: _____

Date: _____ By: _____

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA											
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT	
TOTAL AMOUNT											

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: \$688,802.00

Vendor: Business Improvement District Council

Purpose: To authorize the expenditures of funds for the agreement with the Business Improvement District Council to expend an amount to not to exceed \$228,671 in Small Business Enhancement Program funds for the provision of economic development services.

Date: November 21, 2007

By: *Fernanda Figueroa Olson*
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA											
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT	
001	0	10527	10527		4222	601260					228,671.00
002	0	100	065	2502	4222	601260					460,131.00
TOTAL AMOUNT											\$688,802.00

FUND OVERRIDE

AC 2800402

R 303285

JAN 07 2008