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RESOLUTION NUMBER R- 303447

DATE OF FINAL PASSAGE MAR 07 2008

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DECLARING ITS INTENTION TO AMEND ORDINANCE NUMBER O-16479 [AS AMENDED BY O-18087] WHICH ESTABLISHED THE ADAMS AVENUE BUSINESS IMPROVEMENT DISTRICT [BID] TO EXPAND THE DISTRICT TO INCLUDE THE KENSINGTON-TALMADGE BUSINESS CORE, LEVY ASSESSMENTS, AND TO SCHEDULE PUBLIC HEARINGS THEREFOR.

WHEREAS, under and pursuant to the provisions of the "Parking and Business Improvement Area Law of 1979" [California Streets and Highways Code section 36500, et seq.], the Council of the City of San Diego ["Council"] approved formation of the Adams Avenue Business Improvement District ["BID"] by Ordinance No. O-16479 on July 29, 1985; and

WHEREAS, the Council amended Ordinance No. O-16479 on July 11, 1994 by Ordinance No. O-18087, for the purpose of modifying the Adams Avenue BID assessments within a portion of the District, and creating a third zone for assessments; and

WHEREAS, the Adams Avenue Business Association desires to expand the Adams Avenue BID to include the Kensington-Talmadge commercial area to build on synergy between the commercial areas along Adams Avenue and to better benefit the businesses in the area; and

WHEREAS, pursuant to Council Policy 900-07, in early 2007, City staff received petitions and verified that at least twenty percent of eligible businesses within the expansion area were in support of expanding the Adams Avenue BID; and

WHEREAS, pursuant to Council Policy 900-07, City staff conducted a mailed ballot procedure and determined that a majority of the responding businesses when counted

SECRET

numerically and when weighted by the amount of the proposed assessment, support the expansion of the Adams Avenue BID and the levying of an annual assessment; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it hereby declares its intention to expand the boundaries of the Adams Avenue Business Improvement District and levy assessments in the following areas: the area along Adams Avenue between I-15 and 4248 Adams Avenue, and the adjoining side streets in the 4600 and 4700 blocks of Biona Drive, Edgeware Road, Kensington Drive, Marlborough Drive, Terrace Drive, Vista Street, and 42nd Street, and the 4100 block of Park Place.

BE IT FURTHER RESOLVED that the Council also declares its intention that except where funds are otherwise available, the proposed expanded boundary assessment will be levied annually to finance the following activities: 1) the acquisition, construction, or maintenance of parking facilities, landscaping and other street right-of-way improvements for the benefit of the area; 2) decoration of any public place in the area; 3) promotion of public events which are to take place on or in public places in the area; 4) furnishing of music in any public place in the area; and 5) the general promotion of business activities in the area.

BE IT FURTHER RESOLVED that new businesses in the proposed expansion area will not be exempted from the assessment.

BE IT FURTHER RESOLVED that the businesses in the proposed assessment will be levied annually in an amount consistent with businesses located in the existing Adams Avenue BID, which is Forty Dollars (\$40) to Seventy Dollars (\$70) per year, depending on the location of the business and the business category;


(R-2008-707)

BE IT FURTHER RESOLVED that notice is hereby given that April 1, 2008, at the hour of 2:00 p.m., in the Council Chambers of the City Administration Building, 202 C Street, San Diego, California, is fixed as the time and place when and where any and all interested persons having a desire to be heard may appear and state their views for or against the expansion of the Adams Avenue Business Improvement District and the levying of assessments on such businesses in the proposed expanded area.

BE IT FURTHER RESOLVED that notice is hereby given that April 29, 2008, at the hour of 2:00 p.m., in the Council Chambers of the City Administration Building, 202 C Street, San Diego, California, is fixed as the time and place when and where any and all interested persons having a desire to be heard may appear and state their views for or against the ordinance which will expand the Adams Avenue Business Improvement District and/or for or against the levying of assessments on such businesses in the proposed expanded area.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By



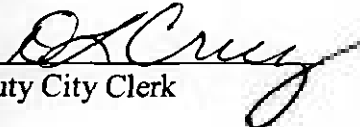
Kimberly K. Harris
Deputy City Attorney

KKH:bas
02/19/08
Or.Dept: CP&CI
R-2008-707
MMS #5935

(R-2008-707)

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAR - 4 2008.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 3-7-08
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor