

RESOLUTION NUMBER R- 303778

DATE OF FINAL PASSAGE MAY 30 2008

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DECLARING ITS INTENT TO AMEND ORDINANCE NUMBER O-16841 TO MODIFY THE NORTH PARK BUSINESS IMPROVEMENT DISTRICT BY CHANGING THE BASIS OF ASSESSMENT AND EXPANDING THE BOUNDARIES OF THE DISTRICT; TO LEVY ASSESSMENTS; TO MODIFY THE NORTH PARK BUSINESS IMPROVEMENT DISTRICT FY2009 BUDGET REPORT; AND TO SET PUBLIC HEARINGS THEREFOR.

WHEREAS, on July 29, 1985, the Council of the City of San Diego adopted Ordinance O-16841 which formed a parking and business improvement area known as "North Park Business Improvement District" [District] pursuant to the Parking and Business Improvement Area Law of 1979 (Streets and Highways Code Section 36500, *et seq.*); and

WHEREAS, in January 2008, pursuant to Council Policy 900-17, City staff received notice that the District advisory board was in support of modifying the basis of assessment; and

WHEREAS, in February 2008, pursuant to Council Policy 900-17, City staff received petitions and verified that at least 20% of eligible businesses were in support of expanding the District with the modified basis of assessment; and

WHEREAS, City staff conducted mailed ballot procedures and determined that a majority of those responding businesses, when measured both numerically and when weighted by the amount of the proposed assessment, support the modifications to the District pursuant to Council Policy 900-17; and

WHEREAS, on May 6, 2008, Council adopted Resolution R-303660 which approved the District's budget report for FY2009; and

**303778**

WHEREAS, on May 27, 2008, Council adopted Resolution R- \_\_\_\_\_ which confirmed the District’s budget report for FY2009; NOW, THEREFORE,

BE IT RESOLVED by the Council of the City of San Diego, that it hereby declares its intent to modify the basis of assessment and expand the boundaries of the parking and business improvement area known as “North Park Business Improvement District” [District] pursuant to the Parking and Business Improvement Area Law of 1979 (Streets and Highways Code section 36500, *et seq.*).

BE IT FURTHER RESOLVED that the area to be included in the District includes the North Park community area within the following address ranges:

**BUSINESS IMPROVEMENT**

<u>Street Name</u>	<u>Address Range</u>
University Avenue	2004 - 3299
30 <sup>th</sup> Street	3300 - 4199
Utah Street	3800 – 3999
Granada Street	3800 – 3899
Kansas Street	3900 – 3999
29 <sup>th</sup> Street	3800 – 3899
Ray Street	3800 – 3899
Ohio Street	3900 – 3999
Grim Street	3800 – 3899
Illinois Street	3900 – 3999
31 <sup>st</sup> Street	3800 – 3899
Iowa Street	3900 – 3999
Herman Street	3800 – 3899
32 <sup>nd</sup> Street	3800 – 3999
Bancroft Street	3800 – 3999
Boundary Street	3800 – 3999

R. 303778

North Park Way	2850 – 3299
Lincoln Avenue	2750 – 3299
Upas Street	2900 – 3049
Dwight Street	2900 – 3099
Polk Avenue	2900 – 3099

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

BE IT FURTHER RESOLVED that the proposed assessments to all businesses in the District will be based on the number of employees per business, and zones will no longer exist in the District; that the categories of benefit are:

- CATEGORY A includes those businesses with 0 to 2 employees.
- CATEGORY B includes those businesses with 3 to 12 employees.
- CATEGORY C includes those businesses with 13 to 25 employees.
- CATEGORY D includes those businesses with 26 or more employees.

BE IT FURTHER RESOLVED that the assessments to be imposed for those District businesses by category of benefit are as follows:

CATEGORY A	\$125.00
CATEGORY B	\$150.00
CATEGORY C	\$250.00
CATEGORY D	\$500.00

The above-described charge 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 general business tax (license). For those businesses registered (licensed) for other than an annual period, the City Treasurer shall determine the charge to be levied upon issuance

of the City business tax certificate (license). The total charge collected from any business under the provisions of the ordinance shall not exceed \$500 per annum.

BE IT FURTHER RESOLVED that the proposed businesses exempt from the assessment will be: 1) Home Based Businesses; 2) Salon Booth Rentals; 3) Hotels and Motels; and 4) Apartment Buildings.

BE IT FURTHER RESOLVED that new businesses in the proposed District will not be exempted from the assessment, unless otherwise expressly exempted herein.

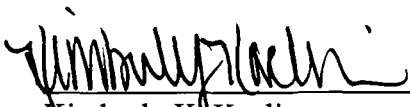
BE IT FURTHER RESOLVED that the general types of improvements and activities to be funded by the annual levy of assessments which benefit businesses in the District are: 1) the acquisition, construction, installation or maintenance of any tangible property, including but not limited to parking facilities, benches, trash receptacles, street lighting, decorations, parks, fountains; 2) promotion of public events which benefit businesses in the area and which take place on or in public places within the area; 3) furnishing of music in any public place in the area; 4) promotion of tourism in the area; and 5) and the general promotion of business activities in the area. Specific services and programs are listed in the North Park Business Improvement District Revised FY09 Budget Report attached as Exhibit B, in addition to any programs as approved by City Council from time to time.

BE IT FURTHER RESOLVED that notice is hereby given that June 24, 2008, at the hour of 10:00 a.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 persons having any desire to be heard may appear and state their views for or against the levying of assessments on businesses; the modification of the method and basis of assessments; the expansion of the District, and the modification of the District's FY2009 budget report.

BE IT FURTHER RESOLVED that notice is hereby given that July 28, 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 persons having any desire to be heard may appear and state their views for or against the levying of assessments on businesses; the modification of the method and basis of assessments; the expansion of the District, and the modification of the District's FY2009 budget report.

BE IT FURTHER RESOLVED the City Clerk is hereby directed to give notice of the hearings by both publication and mail pursuant to Sections 36523 and 36523.5 of the Streets and Highways Code.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
Kimberly K. Kaelin  
Deputy City Attorney

KKK:bas  
05/14/08  
Or.Dept: CP&CI  
R-2008-1069  
MMS #6276

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 27 2008.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 5-30-08  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

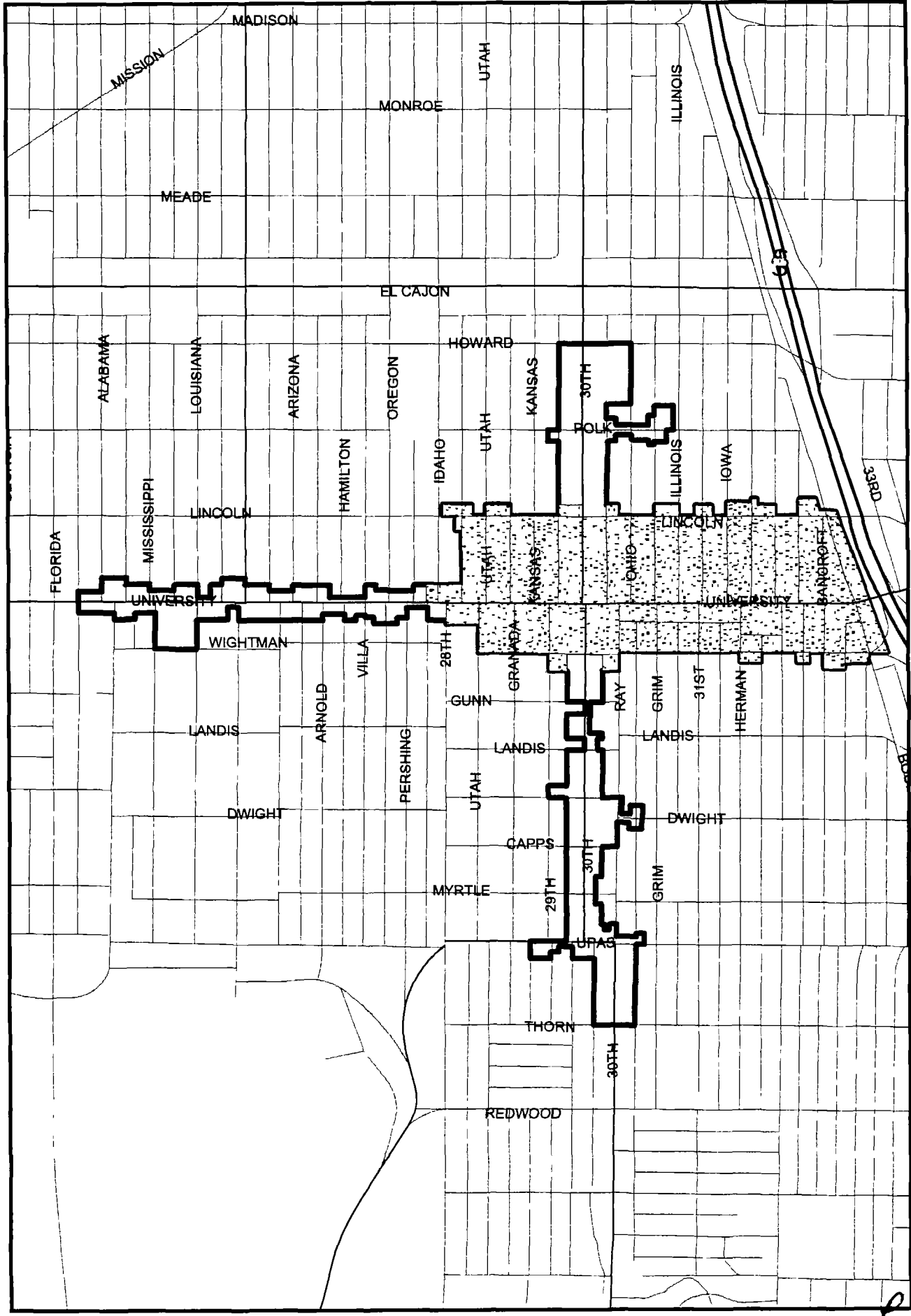
\_\_\_\_\_  
JERRY SANDERS, Mayor

**EXHIBIT A**

**ILLUSTRATIVE MAP OF NORTH PARK BID AND EXPANSION AREA**

R-303778

# NORTH PARK BID MODIFICATION



**LEGEND**

- North Park BID Area Outline (Alternative)
- North Park BID Expansion (Illustrative)



1 inch equals 1 023 feet

This map is prepared in accordance with the provisions of the San Diego Municipal Code, Title 17, Chapter 17.01, and the San Diego Planning Department's Standard Map Act. It is not intended to be used for any other purpose. The City of San Diego is not responsible for any errors or omissions on this map. The City of San Diego is not responsible for any damages or losses resulting from the use of this map. The City of San Diego is not responsible for any claims or liabilities resulting from the use of this map. The City of San Diego is not responsible for any claims or liabilities resulting from the use of this map.

303778

**EXHIBIT B**

**REVISED FY2009 BUDGET REPORT**

**North Park Business Improvement District**  
Fund 10553

**Advisory** North Park Organization of Businesses, Inc.  
3076 University Avenue  
San Diego CA, 92104  
619-294-2501

**Available Funds FY2009**

Estimated Outstanding Operating Advance (incl. SBEP) as of 6/30/2008	\$55,500
Estimated Unexpended Assessments from prior fiscal year to be carried	\$1,500
Estimated Assessments to be collected in the Fiscal Year.	<u>\$20,500</u>
Total Appropriation	<b>\$77,500</b>

**Proposed Activities/Expenditures FY2009**

Personnel (Salaries/Wages/Fringe Benefits)	\$38,950
Office/Operation Costs (Supplies, Rent, Ins., Utilities, Equip. Purchases)	\$13,000
Publications/Printing (Brochures, Newsletters, Production)	\$3,000
Special Events	\$800
Design Improvements (Maintenance, Beautification, Clearing)	\$11,000
Consulting Services	\$10,000
Other (contingency)	<u>\$750</u>
Total Budgeted Expenditures	<b>\$77,500</b>

Estimated Contribution from Association Activities: **\$1,000**

Association President: Patrick Edwards  
Association BID Rep 1: Jay Turner  
Association BID Rep 2: Elizabeth Studebaker

R- 303778





# North Park Main Street

A Service of the North Park Organization of Businesses, Inc.

3076 University Avenue

San Diego, CA 92104

Phone (619) 294-2501 Fax. (619) 294-2502

npbid@northparkmainstreet.com www.northparkmainstreet.com

## North Park Main Street BID Activities - FY 2009

1. Host monthly Board of Directors Meetings.
2. Host monthly Promotions Committee, Economic Restructuring, and Design Committee Meetings.
3. Develop Community Profile, and work on Business Recruitment Plan with assistance from Economic Restructuring Committee.
4. Expand the BID to increase geographic area and increase ability to assist with small business in the region. New proposed boundaries will include University Avenue from Boundary Street to Georgia Street and 30<sup>th</sup> Street from Herman Street to Thorn Street.
5. Increase assessments of businesses in the current BID to match surrounding communities and increase ability to provide quality service to the commercial district.
6. Work with the Redevelopment Agency on Project Area, including Market & Demographic Information, Ordinance Review, Business and Technical Assistance, the Parking Garage, the North Park Theater, Historic Buildings Inventory, and other public projects.
7. Market the City Storefront Improvement Program to new and interested businesses.
8. Repair and replace deteriorated sidewalks, along University Avenue and side streets from Boundary Street to 28<sup>th</sup> Street, as possible.
9. Redesign, increase functionality of NPMS Website.
10. Organize and host 12<sup>th</sup> annual Festival of the Arts event on the 3<sup>rd</sup> Sunday in May from 10am-6pm.
11. Organize a "Taste of North Park" event.
12. Assist with planning of, and attend monthly Ray at Night event on the 2<sup>nd</sup> Saturday from 6:00pm-10:00pm.
13. Host the North Park Farmers Market every Thursday evening from 3:00pm to 7:00pm.
14. Coordinate community activities including cleanups, tours by elected officials, merchant mixers, informational meetings with new businesses, and historic walking tours.
15. Design and hang new banners, continue banner program, for the North Park BID each 5-6 months.
16. Host monthly "walk about" tours of the Business District with residents, businesses, and tourists.
17. Write and publish quarterly newsletter, the North Park Way.
18. Regular correspondence, assistance with businesses and property owners.
19. Participation in North Park committees including: Western Division of the SD Police Department, City Attorney's Office, Greater North Park Community Planning Committee (and Urban Design/Project Review Subcommittee and Public Facilities Subcommittee), North Park Redevelopment Project Area Committee, BID Council (and Legislative Committee), North Park Parking Garage Art Committee, North Park Parking Management Working Group, and North Park Community Association (and History Subcommittee – soon to be North Park Historical Society)
20. Meet each month with local BIDs (Hillcrest, Adams Ave, El Cajon Blvd, and City Heights) to strategize on collaborative projects and learn from colleagues.
21. Support local BIDs and BID Council with event planning and execution.
22. Work on Historic Building Registry for North Park.
23. Support fund grant writing.
24. Continued streetscape improvements.
25. Technical assistance with small businesses.
26. Developing community identify and branding.
27. Outreach and engagement of activities with new members.

R-303778