

ORDINANCE NUMBER O- 20206 (NEW SERIES)

DATE OF FINAL PASSAGE OCT 11 2012

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE MAYOR TO EXECUTE THE FIRST AMENDMENT TO THE OPERATING AND MANAGEMENT AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND DOWNTOWN SAN DIEGO PARTNERSHIP, INC., FOR THE DOWNTOWN PROPERTY AND BUSINESS IMPROVEMENT DISTRICT.

WHEREAS, in 2000 the Downtown Property and Business Improvement District (PBID) was formed to provide certain enhanced services in the downtown area of the City of San Diego; and

WHEREAS, in June of 2000 the City of San Diego and the Downtown San Diego Partnership, Inc. (Partnership) entered into an agreement, on file in the office of the City Clerk as Document No. C-10096, whereby the Partnership agreed to operate and manage the PBID for a period of five years, ending on June 30, 2005; and

WHEREAS, on June 6, 2005, the San Diego City Council (City Council) adopted Resolution No. R-300533, renewing the PBID for an additional ten years; and

WHEREAS, on April 4, 2005, the City Council adopted Ordinance O-19365, authorizing the City Manager to execute the Operating and Management Agreement Between The City of San Diego and the Downtown San Diego Partnership, Inc., for the operation and management of the renewed PBID for a period of ten years, ending on June 30, 2015 (Agreement); and

WHEREAS, on April 4, 2005, the City and Partnership entered into the Agreement for the Partnership to operate and manage the Downtown PBID, the Agreement being on file with the Office of the City Clerk as Document No. OO-19365; and

WHEREAS, on September 25, 2012, the City Council, after having initiated proceedings, holding a public hearing, conducting an election, and receiving a favorable vote from the qualified electors, adopted Resolution No. R- 307698, approving the addition of the CMD to the PBID and the services provided thereby as authorized by the Property and Business Improvement District Law of 1994; and

WHEREAS, a first amendment to the Agreement (First Amendment) is necessary to incorporate additional obligations associated with the CMD; and

WHEREAS, the First Amendment is also necessary to include a new indemnification provision with respect to the CMD and related services; NOW, THEREFORE,

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

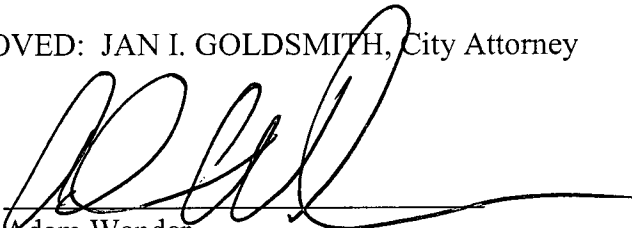
Section 1. That the Mayor is authorized to execute, for and on behalf of the City of San Diego, the First Amendment to the Agreement under the terms and conditions set forth in that First Amendment on file in the office of the City Clerk as Document

No. OO- 20206.

Section 2. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 3. That this ordinance shall take effect and be in force on the thirtieth day
from and after its passage.

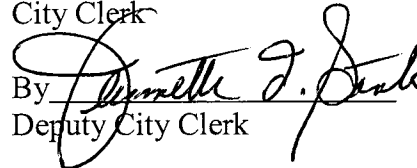
APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Adam Wander
Deputy City Attorney

ARW:mm
09/20/2012
09/21/2012 COR. COPY
Dept:Economic Dev.
PL# 2010-01235
Doc #442740

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San
Diego, at this meeting of OCT 09 2012.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 10-11-12
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor