

RESOLUTION NUMBER R-

**307621**

DATE OF FINAL PASSAGE

**SEP 19 2012**

RESOLUTION OF INTENTION TO MODIFY THE  
DOWNTOWN PROPERTY AND BUSINESS IMPROVEMENT  
DISTRICT BY INCLUDING AN ADDITIONAL BENEFIT  
ZONE DESIGNATED AS THE COMMERCIAL MARKETING  
DISTRICT ZONE.

WHEREAS, the Property and Business Improvement District Law of 1994, California Streets and Highways Code §36600 *et seq.*, authorizes cities and counties to establish property and business improvement districts for the purposes of promoting economic revitalization and physical maintenance; and

WHEREAS, the Downtown San Diego Partnership, Inc. (Partnership) is the Owner's Association, as defined by California Streets and Highways Code section 36614, for the Downtown Property and Business Improvement District (Downtown PBID); and

WHEREAS, pursuant to California Streets and Highways Code section 36636, the Partnership has requested that the City Council modify the activities to be funded by the Downtown PBID; and

WHEREAS, such modification consists of including an additional benefit zone, designated as the Commercial Marketing District Zone (CMD Zone), in which increased assessments will be levied upon certain commercial properties for the purpose of funding business attraction and retention, property marketing, street disorder and nuisance abatement, a shuttle system, and parking improvements, which provide a special benefit to those properties within the CMD Zone; and

WHEREAS, Project Design Consultants has prepared an Addendum to the Downtown PBID Engineer's Report and District Management Plan; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Council hereby proposes and intends to modify the Downtown Property and Business Improvement District (Downtown PBID) pursuant to California Streets and Highways Code sections 36636.

BE IT FURTHER RESOLVED, that the Council proposes and intends to levy and collect increased assessments on those certain properties within the Downtown PBID as described in the Addendum to the Downtown PBID District Engineer's Report and Management Plan, filed in the Office of the City Clerk as Document No. 307621-1 (Addendum).

BE IT FURTHER RESOLVED, that the increased assessments will be used to pay a prescribed portion of the cost of the activities and services as described in the Addendum.

BE IT FURTHER RESOLVED, that the proposed activities and services consist generally of business attraction and retention, property marketing, street disorder and nuisance abatement, a shuttle system, and parking improvements within the proposed Commercial Marketing District Zone (CMD Zone), and which provide a special benefit to those properties within the CMD Zone.

BE IT FURTHER RESOLVED, that the CMD Zone shall be a new benefit zone within the Downtown PBID and shall terminate concurrently with the Downtown PBID.

BE IT FURTHER RESOLVED, that the CMD Zone, and the boundaries thereof, is described as all those commercial office buildings that have 50,000 square feet or more located within the Downtown PBID, and as described in the Addendum and depicted in the map filed in the Office of the City Clerk as Document No. 307621-2 (Map).

BE IT FURTHER RESOLVED, that the City Council proposes to assess those properties within the CMD Zone which receive a special benefit from the proposed activities and services in an amount of three and one-half cents (\$0.035) per parcel square foot per year. The assessment rate may be increased by no more than five percent (5%) per year.

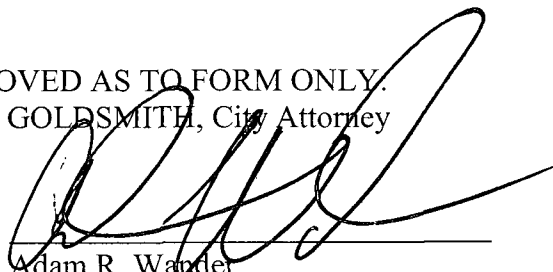
BE IT FURTHER RESOLVED, that no bonds shall be issued in connection with the CMD Zone.

BE IT FURTHER RESOLVED, that notice is hereby given, that September 25, 2012 at 10:00 a.m., or as soon thereafter as it may be heard, in the City Council Chambers of the City Administration Building, 202 C Street, San Diego, California, is fixed as the time and place when the City Council shall conduct a public hearing on the question of the formation of the District and the levy of the proposed assessments. The public hearing may be continued from time to time as necessary.

BE IT FURTHER RESOLVED, that 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 California Government Code sections 53750-53756.

APPROVED AS TO FORM ONLY.  
JAN I. GOLDSMITH, City Attorney

By

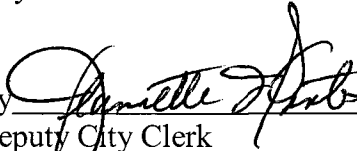


Adam R. Wauder  
Deputy City Attorney


ARW:mcm  
July 25, 2012  
August 1, 2012 Rev. Copy  
Or.Dept: Econ. Dev't  
Doc. No. 413008

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 30 2012.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 9.19.12  
(date)

  
JERRY SANDERS, Mayor

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

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JERRY SANDERS, Mayor