

RESOLUTION NUMBER R-308144

DATE OF FINAL PASSAGE MAY 24 2013

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO APPROVING AND AUTHORIZING THE EXECUTION OF THE FISCAL YEAR 2014 OPERATING AGREEMENTS FOR THE SPECIFIED BUSINESS IMPROVEMENT DISTRICTS.

WHEREAS, in accordance with the Parking and Business Improvement Area Law of 1989 (California Streets and Highways Code sections 36500, et seq.), the eighteen Business Improvement Districts identified below (“Districts”) were formed in the City of San Diego to levy assessments annually to pay for certain improvements and activities within the Districts; and

WHEREAS, the City Council, in accordance with the Parking and Business Improvement Area Law of 1989 (California Streets and Highways Code sections 36500, et seq.) and City Council Policy 900-07, wishes to continue the promotional activities of the Districts; and

WHEREAS, in an effort to streamline the annual appropriation process, the City has opted to enter into five-year operating agreements with the associations that administer the Districts instead of renewing the operating agreements annually, as the practice has been in the past; and

WHEREAS, on May 13, 2013, the City Council adopted Resolution No. R-308143, in which the City Council confirmed the Budget Reports for the period of July 1, 2013 through June 30, 2014 (“FY 2014”) for each of the specified Districts in the City of San Diego;

NOW, THEREFORE, .

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

1. The City Council hereby approves the five-year operating agreements with the following associations for each of the respective Districts in the form and content attached to the

backup materials for the City Council agenda item adopting this Resolution, those operating agreements being on file with the Office of the City Clerk under the following document numbers:

<u>Association</u>	<u>Business Improvement District</u>	<u>Document No.</u>
Adams Avenue Business Association, Inc.	Adams Avenue	RR- <u>308144-1</u>
City Heights Business Association	City Heights	RR- <u>308144-2</u>
College Area Economic Development Corporation	College Area	RR- <u>308144-3</u>
Downtown San Diego Partnership, Inc.	Downtown Improvement Area	RR- <u>308144-4</u>
East Village Association, Inc.	East Village	RR- <u>308144-5</u>
El Cajon Boulevard Business Improvement Association	El Cajon Gateway	RR- <u>308144-6</u>
El Cajon Boulevard Business Improvement Association	El Cajon Central	RR- <u>308144-7</u>
Gaslamp Quarter Association, Inc.	Gaslamp	RR- <u>308144-8</u>
Hillcrest Business Improvement Association, Inc.	Hillcrest	RR- <u>308144-9</u>
La Jolla Village Merchants Association	La Jolla	RR- <u>308144-10</u>
Little Italy Association	Little Italy	RR- <u>308144-11</u>
Mission Hills Business Improvement District	Mission Hills	RR- <u>308144-12</u>
North Park Organization of Businesses, Inc.	North Park	RR- <u>308144-13</u>
Ocean Beach Merchant's Association, Inc.	Ocean Beach	RR- <u>308144-14</u>

Old Town San Diego  
Chamber of Commerce

Old Town

RR- 308144 -15

The Pacific Beach Community  
Development Corporation  
dba Discover Pacific Beach

Pacific Beach

RR- 308144 -16

San Ysidro Improvement  
Corporation

San Ysidro

RR- 308144 -17

2. The Mayor (or his designee) is authorized and directed to execute the operating agreements identified in paragraph 1 of this Resolution.

3. The City Council hereby approves the five-year operating agreement with Diamond Business Association, dba Southeastern Diamond Business District, for the Diamond Business Improvement District in the form and content attached to the backup materials for the City Council agenda item adopting this Resolution, on file with the Office of the City Clerk as Document No. RR- 308144, contingent upon the City first receiving an Internal Revenue Service determination that the Diamond Business Association is a non-profit organization.

4. The Mayor (or his designee) is authorized and directed to execute the operating agreement with Diamond Business Association identified in paragraph 3 of this Resolution, contingent upon the City first receiving an Internal Revenue Service determination that the Diamond Business Association is a non-profit organization.

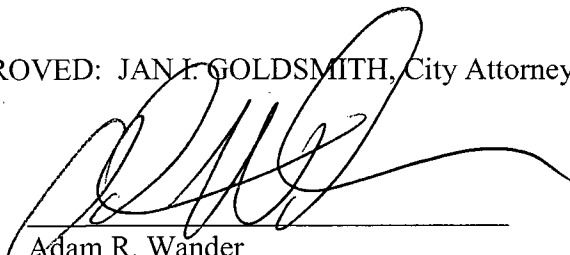
5. Should the City not receive an Internal Revenue Service determination that the Diamond Business Association is a non-profit organization before July 1, 2013, the City will administer the Diamond Business Improvement District for FY 2014 under the advisement of the Diamond Business Association until such time that the operating agreement is executed in accordance with paragraph 4 of this Resolution.

6. The City's Chief Financial Officer or designee is authorized to appropriate, transfer, and expend assessment revenues within each District's fund for administration and operation of that

District in accordance with the approved FY 2014 Budget Reports, including the Fund Balance and Interest Fund Balance from FY 2013 at year end and the anticipated District assessments to be collected in FY 2014.

APPROVED: JAN I. GOLDSMITH, City Attorney

By

  
\_\_\_\_\_  
Adam R. Wander  
Deputy City Attorney

ARW:mm  
April 4, 2013  
May 1, 2013 COR.COPY  
May 14, 2013 REV.COPY  
Or.Dept: Econ. Dev.  
Doc #562043\_2

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 13 2013

ELIZABETH S. MALAND  
City Clerk

By   
\_\_\_\_\_  
Deputy City Clerk

Approved: 5/24/13  
\_\_\_\_\_  
(date)

  
\_\_\_\_\_  
BOB FILNER, Mayor

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

\_\_\_\_\_  
BOB FILNER, Mayor

Passed by the Council of The City of San Diego on MAY 13 2013, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
District 4 (Vacant)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

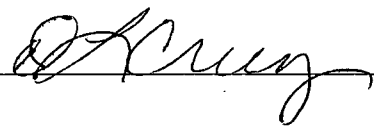
Date of final passage MAY 24 2013

AUTHENTICATED BY:

BOB FILNER  
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R- 308144