

RESOLUTION NUMBER R- 310381

DATE OF FINAL PASSAGE APR 28 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DECLARING THE COUNCIL'S INTENTION TO LEVY AND COLLECT ANNUAL ASSESSMENTS FROM BUSINESSES LOCATED IN SPECIFIED PARKING AND BUSINESS IMPROVEMENT AREAS FOR FISCAL YEAR 2017 AND FIXING THE TIME AND PLACE FOR A PUBLIC HEARING ON THE LEVY OF SUCH ASSESSMENTS.

WHEREAS, in accordance with the Parking and Business Improvement Area Law of 1989 and/or its predecessor law (California Streets and Highways Code sections 36500-36551) ("1989 Act"), the following seventeen parking and business improvement areas were established by and in the City of San Diego to annually levy and collect assessments on businesses located within the specified areas to finance certain improvements and activities within such areas (each, a "1989 Act District" and collectively, "1989 Act Districts"):

1. Adams Avenue Business Improvement District (Ordinances 16479; 18087; 19749);
2. City Heights Business Improvement District (Ordinance 16918);
3. College Area Business Improvement District (Ordinances 18263; 18539);
4. Diamond Business Improvement District (Ordinances 18262; 18540);
5. East Village Business Improvement District (Ordinance 19881);
6. El Cajon Business Improvement District (Ordinance 16480);
7. El Cajon Boulevard Business Improvement District (Ordinance 16919);
8. Gaslamp Quarter Business Improvement District (Ordinances 15647; 17664)
9. Hillcrest Business Improvement District (Ordinances 16230; 17340);
10. La Jolla Business Improvement District (Ordinances 17458; 17803);
11. Little Italy Business Improvement District (Ordinances 18374; 18541);

12. Mission Hills Business Improvement District (Ordinance 17229);
13. North Park Business Improvement District (Ordinances 16481; 19780);
14. Ocean Beach Business Improvement District (Ordinance 17248);
15. Old Town Business Improvement District (Ordinance 18208);
16. Pacific Beach Business Improvement District (Ordinances 18373; 18542); and
17. San Ysidro Business Improvement District (Ordinance 18612); and

WHEREAS, in accordance with the Parking and Business Improvement Area Law of 1965 (California Streets and Highways Code sections 36000-36081) (“1965 Act”), that certain parking and business improvement area named the “Downtown Improvement Area” (“Downtown District”) was established by and in the City of San Diego (Ordinances 10450; 10774) to annually levy and collect assessments on businesses located within the specified area to finance certain improvements and activities within such area (the 1989 Act Districts and the Downtown District are sometimes each, individually, referred to in this Resolution as a “District” and, collectively, as the “Districts”);

WHEREAS, the Council intends to continue levying assessments on businesses located within the Districts to finance the improvements and activities undertaken by the Districts;

WHEREAS, for administrative consistency with the 1989 Act Districts, the City annually confirms the assessment for the Downtown District in the same manner as it levies annual assessments for the 1989 Act Districts; NOW, THEREFORE,

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

1. The Council hereby declares its intent to continue to levy and collect assessments from businesses located within each of the following described Districts during the time period

commencing on July 1, 2016, and continuing through and including June 30, 2017 (Fiscal Year 2017):

**Adams Avenue Business Improvement District:** generally from the 2400 to the 4248 block of Adams Avenue; and all adjacent side-streets from the 4600 to the 4799 block of those side-streets.

**City Heights Business Improvement District:** generally from the 3300 to the 4799 block of University Avenue; and all adjacent side-streets from the 3800 to the 4099 block of those side-streets.

**College Area Business Improvement District:** generally from the 5400 to the 7400 block of El Cajon Boulevard; all adjacent streets from the 5400 to the 7400 block of El Cajon Boulevard; and certain other streets in the vicinity of San Diego State University.

**Diamond Business Improvement District:** generally that area within the diamond formed by the following four points: the 1900 block of Euclid Avenue to the north; the 1000 block of Euclid Avenue South to the south; the 6900 block of Imperial Avenue to the east; and the 3900 block of Market Street to the west.

**Downtown Improvement Area:** generally that area within the following boundaries: Ash Street to the north; E Street to the south; Tenth Avenue to the east; and First Avenue to the west.

**East Village Business Improvement District:** generally that area within the following boundaries: Interstate 5 to the north and to the east; Newton Avenue to the south; and Seventh Avenue to the west.

**El Cajon Business Improvement District:** generally from the 3300 to the 5399 block of El Cajon Boulevard; all adjacent side-streets from 33rd Street to 47th Street between the

4200 to the 4399 block of those side-streets; and all adjacent side-streets from Euclid Avenue to Dayton Street between the 4300 and the 4499 block of those side-streets.

**El Cajon Boulevard Business Improvement District:** generally from the 1800 to the 3299 block of El Cajon Boulevard; and all adjacent side-streets from the 4200 to the 4399 block of those side-streets.

**Gaslamp Quarter Business Improvement District:** generally that area within the following boundaries: Broadway to the north; the San Diego and Arizona East Railway right-of-way to the south; Sixth Avenue to the east; and Fourth Avenue to the west.

**Hillcrest Business Improvement District:** generally that area within the following boundaries: Montecito Street to the north; Upas Street to the south; Park Boulevard to the east; and Front Street to the west.

**La Jolla Business Improvement District:** generally from 200 to 1445 Prospect Street; Ivanhoe Avenue, Herschel Avenue, Girard Avenue, and Fay Avenue between Torrey Pines Road and Pearl Street; and from the 1100 block of Torrey Pines Road to the 400 block of Pearl Street toward La Jolla Boulevard, including 7345 to 7607 La Jolla Boulevard.

**Little Italy Business Improvement District:** generally that area within the following boundaries: Laurel Street to the north; "A" Street to the south; Interstate 5 and Front Street to the east; and North Harbor Drive to the west.

**Mission Hills Business Improvement District:** generally from 818 to 1112 Fort Stockton Drive, including all adjacent side-streets from Stephens Street to Albatross Street; 228 to 1794 Washington Street; the 300 to the 1025 block of University Avenue; 328 to 1753 West Lewis Street; and 3033 to 3753 India Street.

**North Park Business Improvement District:** generally from 2750 to 3299 University Avenue, including all adjacent side-streets between the 3800 and the 3999 block of those side-streets; 2750 to 3299 Lincoln Avenue; and 2850 to 3299 North Park Way.

**Ocean Beach Business Improvement District:** generally from the 4800 to the 5099 block of Newport Avenue; portions of the 4700 to the 5099 block of Narragansett Avenue, Niagara Avenue, and Santa Monica Avenue; and portions of Sunset Cliffs Boulevard, Cable Street, Bacon Street, and Abbot Street between 1769 and 1976 of those streets.

**Old Town Business Improvement District:** generally that area within the following boundaries: Interstate 5 to the north; Pacific Highway to the south; Washington Boulevard to the east; and Rosecrans Street to the west.

**Pacific Beach Business Improvement District:** generally that area within the following boundaries: Garnet Avenue and Balboa Avenue to the north; the 700 to the 1099 block of Turquoise Street to the northwest; Grand Avenue to the south, including Ingraham Street and all adjacent side-streets from the 3400 block to Grand Avenue; Interstate 5 to the east; and the 4100 to 5199 block of Mission Boulevard and all adjacent side-streets to the west.

**San Ysidro Business Improvement District:** generally that area within the following boundaries: the 930 block of West San Ysidro Boulevard to the northwest; the U.S.-Mexico border to the southeast; East Beyer Boulevard to the east; and Willow Road to the southwest.

2. The proposed improvements and activities authorized by the ordinance (including any amendment(s)) establishing each District are as follows:

| <b><u>District</u></b> | <b><u>Improvements and Activities Authorized by Ordinance</u></b>                                                                                                                                                                                                          |
|------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Adams Avenue           | Acquisition, construction, or maintenance of parking facilities, landscaping and other street right-of-way Improvements; decoration of any public place; promotion of public events; furnishing of music; promotion of business activities; and administration/operations. |
| City Heights           | Acquisition, construction, or maintenance of parking facilities; promotion of public events; furnishing of music; promotion of business activities; and administration/operations.                                                                                         |
| College                | Acquisition, construction, or maintenance of parking facilities; decoration of any public place; promotion of public events; furnishing of music; promotion of business activities; and administration/operation.                                                          |
| Diamond                | Decoration of public areas; promotion of public events; and furnishing of music; promotion of retail trade; and administration/operation.                                                                                                                                  |
| Downtown               | Acquisition, construction, or maintenance of parking facilities; decoration of public areas; promotion of public events; and furnishing of music; promotion of business activities; and administration/operation.                                                          |
| East Village           | Acquisition, construction, or maintenance of parking facilities; decoration of any public place; promotion of public events; furnishing of music; promotion of business activities; and administration/operation.                                                          |
| El Cajon               | Acquisition, construction, or maintenance of parking facilities; decoration of any public place; promotion of public events; furnishing of music; promotion of business activities; and administration/operation.                                                          |
| El Cajon Blvd          | Acquisition, construction or maintenance of parking facilities; decoration of any public place; promotion of public events; furnishing of music; promotion of business activities; and administration/operation.                                                           |
| Gaslamp                | Acquisition, construction, or maintenance of parking facilities; decoration of any public place; promotion of public events; furnishing of music; promotion of business activities; and administration/operation.                                                          |
| Hillcrest              | Acquisition, construction, or maintenance of parking facilities; decoration of any public place; promotion of public events; furnishing of music; promotion of business activities; and administration/operation.                                                          |

|               |                                                                                                                                                                                                                   |
|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| La Jolla      | Acquisition, construction, or maintenance of parking facilities; decoration of any public place; promotion of public events; furnishing of music; promotion of business activities; and administration/operation. |
| Little Italy  | Acquisition, construction, or maintenance of parking facilities; decoration of any public place; promotion of public events; furnishing of music; promotion of business activities; and administration/operation. |
| Mission Hills | Acquisition, construction, or maintenance of parking facilities; decoration of any public place; promotion of public events; furnishing of music; promotion of business activities; and administration/operation. |
| North Park    | Acquisition, construction, or maintenance of parking facilities; decoration of any public; promotion of public events; furnishing of music; promotion of business activities; and administration/operation.       |
| Old Town      | Acquisition, construction or maintenance of parking facilities; decoration of any public place; promotion of public events; furnishing of music; promotion of business activities; and administration/operation.  |
| Pacific Beach | Acquisition, construction, or maintenance of parking facilities; decoration of any public place; promotion of public events; furnishing of music; promotion of business activities; and administration/operation. |
| San Ysidro    | Acquisition, construction, or maintenance of parking facilities; decoration of any public place; promotion of public events; furnishing of music; promotion of business activities; and administration/operation. |

3. There are no substantial changes proposed to be made to the improvements or activities authorized within any District, the boundaries of any District or any benefit zone within any District, the classification of businesses within any District, or the method or basis of levying any assessment within any District.

4. The full and detailed Fiscal Year 2017 annual report from the respective advisory board for each District, including a description of the specified District, a full and detailed description of the improvements and activities to be provided by the District in Fiscal Year 2017, the boundaries of the District and any benefit zones within the District, and the proposed assessments to be levied upon the businesses within the District for Fiscal Year 2017, is on file

and available for review at the Office of the City Clerk with reference to following document numbers:

| <u>Business Improvement District</u> | <u>Document No.</u>  |
|--------------------------------------|----------------------|
| Adams Avenue                         | RR- <u>310380-1</u>  |
| City Heights                         | RR- <u>310380-2</u>  |
| College Area                         | RR- <u>310380-3</u>  |
| Diamond                              | RR- <u>310380-4</u>  |
| Downtown                             | RR- <u>310380-5</u>  |
| East Village                         | RR- <u>310380-6</u>  |
| El Cajon                             | RR- <u>310380-7</u>  |
| El Cajon Boulevard                   | RR- <u>310380-8</u>  |
| Gaslamp Quarter                      | RR- <u>310380-9</u>  |
| Hillcrest                            | RR- <u>310380-10</u> |
| La Jolla                             | RR- <u>310380-11</u> |
| Little Italy                         | RR- <u>310380-12</u> |
| Mission Hills                        | RR- <u>310380-13</u> |
| North Park                           | RR- <u>310380-14</u> |
| Ocean Beach                          | RR- <u>310380-15</u> |
| Old Town                             | RR- <u>310380-16</u> |
| Pacific Beach                        | RR- <u>310380-17</u> |
| San Ysidro                           | RR- <u>310380-18</u> |



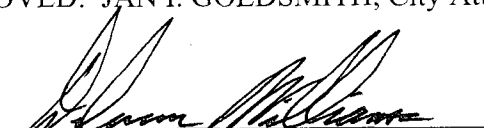
5. On May 17, 2016, at 2:00 p.m. Pacific Time, or as soon thereafter as the matter may be heard, the Council will conduct a public hearing (Public Hearing) in the Council Chambers of the City Administration Building, located at 202 "C" Street, 12th Floor, San Diego, California, as required by California Streets and Highways Code section 36534(a)(6), and receive public testimony and evidence regarding the levy of the proposed assessment in each 1989 Act District for Fiscal Year 2017.

6. At the Public Hearing, written or oral protests may be made regarding the proposed Fiscal Year 2017 assessments within each 1989 Act District. The form and manner of such protests shall comply with California Streets and Highways Code sections 36524 and 36525.

7. The City Clerk is hereby directed to give notice of the Public Hearing by causing publication of this Resolution once in a newspaper of general circulation in the City of San Diego not less than seven days before the Public Hearing, in accordance with California Streets and Highways Code section 36534(b).

APPROVED: JAN I. GOLDSMITH, City Attorney

By:

  
Delmar G. Williams  
Deputy City Attorney

DGW: meb  
April 8, 2016  
Or.Dept: Econ. Dev  
Doc. No.: 1242244

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 25 2016.

ELIZABETH S. MALAND  
City Clerk

By:   
Deputy City Clerk

Approved:

4/27/16  
(Date)

  
KEVIN L. FAULCONER, Mayor

Vetoed:

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on APR 25 2016, 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"/> |
| Lorie Zapf      | <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"/> |
| Myrtle Cole     | <input checked="" 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"/> |
| Chris Cate      | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input 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 type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Date of final passage APR 28 2016.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER  
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- 310381