

RESOLUTION NUMBER R- 310574

DATE OF FINAL PASSAGE JUN 29 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE REPORT SUBMITTED IN CONNECTION WITH THE DOWNTOWN PROPERTY AND BUSINESS IMPROVEMENT DISTRICT FOR FISCAL YEAR 2017 AND RELATED FUNDING ACTIONS.

WHEREAS, the Property and Business Improvement District Law of 1994, California Streets and Highways Code sections 36600-36671 (PBID Law), authorizes cities and counties to establish and renew property and business improvement districts for the purpose of promoting economic revitalization and physical maintenance of improvements; and

WHEREAS, on May 12, 2015, the City Council adopted Resolution No. R-309673 (Resolution of Formation), renewing the Downtown Property and Business Improvement District (Downtown PBID) for a term of ten years in accordance with California Streets and Highways Code sections 36622(h) and 36660(c); and

WHEREAS, the Resolution of Formation approved the Management District Plan, which includes an Engineer's Report, a Management Plan, and the assessments described therein, for the period of July 1, 2015 through June 30, 2025 (Fiscal Years 2016 through 2025), a copy of which is on file with the City Clerk as Document No. RR-309673-1; and

WHEREAS, pursuant to California Streets and Highways Code section 36651, the Management District Plan stated that the Downtown San Diego Partnership, a nonprofit corporation (Partnership), will manage the Downtown PBID and provide the improvements, maintenance, and activities described in the Management District Plan pursuant to an operating agreement between the City and the Partnership; and

WHEREAS, pursuant to California Streets and Highways Code section 36625(b), the adoption of the Resolution of Formation constituted the levy of the assessments in Fiscal Years 2016 through 2025; and

WHEREAS, pursuant to California Streets and Highways Code section 36650, a written report for Fiscal Year 2017 (Report) has been prepared for the Downtown PBID; and

WHEREAS, the Report conforms to the above-referenced authority and has been duly considered by the City Council; NOW, THEREFORE,

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

1. The Fiscal Year 2017 Report submitted for the Downtown PBID, on file and available for review in the Office of the City Clerk as Document No. RR- 310574, is approved as filed.

2. The Chief Financial Officer is authorized to appropriate and expend funds in an amount not to exceed \$7,800,061 from Downtown PBID Operating Funds, Fund 200108 for Fiscal Year 2017, contingent upon the adoption of the Fiscal Year 2017 Appropriation Ordinance and contingent upon the Chief Financial Officer furnishing a certificate certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

3. The Chief Financial Officer is authorized to appropriate and expend any monies deposited in the Downtown PBID Operating Funds, Fund 200108 in excess of estimated revenue and any carryover monies from the previous fiscal year for which said Fund(s) was created, contingent upon the adoption of the Fiscal Year 2017 Appropriation Ordinance and contingent upon the Chief Financial Officer furnishing a certificate certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

4. The Chief Financial Officer is authorized to expend funds in an amount not to exceed \$410,141.26 from the General Fund for the purpose of paying the assessments levied upon City-owned parcels for FY 2017, contingent upon the adoption of the Fiscal Year 2017 Appropriation Ordinance and contingent upon the Chief Financial Officer furnishing a certificate certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

5. The Chief Financial Officer is authorized to appropriate and expend \$150,000 from Downtown PBID Operating Fund, Fund 200108 for the City's administration of the PBID for Fiscal Year 2017, contingent upon the adoption of the Fiscal Year 2017 Appropriation Ordinance and contingent upon the Chief Financial Officer furnishing a certificate certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

6. The Chief Financial Officer is authorized to appropriate and expend funds in an amount not to exceed \$20,300 from the Gas Tax Fund, Fund 200118, for the purpose of costs associated with median maintenance for FY 2017, contingent upon the adoption of the Fiscal Year 2017 Appropriation Ordinance and contingent upon the Chief Financial Officer furnishing a certificate certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

7. The Chief Financial Officer is authorized to manually bill and collect assessments which are not billed by the County of San Diego, in the same time and manner as county taxes

are collected, and all laws providing for the collection and enforcement of county taxes shall apply to the collection and enforcement of the assessments.

APPROVED: JAN I. GOLDSMITH, City Attorney

By Daphne Z. Skogen
Daphne Z. Skogen
Deputy City Attorney

DZS:dkr
6/10/2016
Or.Dept: Economic Development
Doc. No. 1306405

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of 6/28/2016.

ELIZABETH S. MALAND
City Clerk

By Sty Brady
Deputy City Clerk

Approved: 6/29/16
(date)

Kevin L. Faulconer
KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on JUN 28 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUN 29 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 *Hy Ready*, Deputy

Office of the City Clerk, San Diego, California

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