

RESOLUTION NUMBER R- 312728DATE OF FINAL PASSAGE OCT 31 2019

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO RESCINDING RESOLUTION R-288034 AND ESTABLISHING COUNCIL POLICY 900-21 REGARDING THE REBATE OF LOCAL SALES AND USE TAXES TO COOPERATING BUSINESSES AS A NEW COUNCIL POLICY ENTITLED "BUSINESS COOPERATION PROGRAM."

WHEREAS, the City Council adopted Resolution R-288034 on November 12, 1996, authorizing the formation of the Business Cooperation Program (BCP) as a way to increase City revenues without imposing new tax or fee increases; and

WHEREAS, the revenue is generated by increasing, in accordance with the California Bradley-Burns Uniform Sales and Use Tax Law, the portion of sales and use tax revenue that is allocated to the City; and

WHEREAS, statewide sales and use tax is currently 7.25%, of which the Bradley-Burns local tax is one percentage point (local tax revenue); and

WHEREAS, without affirmative steps by a business relative to taxable transactions, the local tax revenue would be distributed among multiple public agencies throughout San Diego County, including the City; and

WHEREAS, the BCP seeks to encourage businesses to take affirmative steps that would result in the allocation of all local tax revenue generated from those transactions to the City; and

WHEREAS, under the BCP, the City may rebate a portion of previously uncollectable local tax revenue to the participating business that generated the revenue; and

WHEREAS, the Council wishes to update the BCP to encourage further business participation and provide increased transparency and greater clarity regarding rebate of local tax revenue offered by the City, the application process, and the review process; and

WHEREAS, the Council seeks to promote City efforts to explore revenue-generating opportunities and engage in efforts that may result in agreements to share a portion of previously uncollectable local tax revenue (revenue-sharing agreements) with a cooperating business that generates the revenue; and

WHEREAS, in support of the stated goals, the Council desires to update the BCP by rescinding Resolution R-288034, which contains outdated and ineffective program elements, and establishing Council Policy 900-21 entitled "Business Cooperation Program"; and

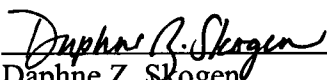
WHEREAS, the Council seeks to authorize the Mayor, or designee, to enter into revenue-sharing agreements in accordance with the procedures set forth in Council Policy 900-21 and subject to all other applicable laws; NOW, THEREFORE,

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

1. Resolution R-288034, adopted on November 12, 1996, is hereby rescinded.
2. The Council approves Council Policy 900-21, entitled "Business Cooperation Program" as set forth in the document on file in the Office of the City Clerk as Document No.

RR- 312728.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Daphne Z. Skogen
Deputy City Attorney

DZS:jdf
10/08/19
Or.Dept: Econ. Dev.
Doc. No.: 2195001

Passed by the Council of The City of San Diego on OCT 29 2019, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery	<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"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage OCT 31 2019.

(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 Connie Patterson, Deputy

Office of the City Clerk, San Diego, California

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