

RESOLUTION NUMBER R- 315512

DATE OF FINAL PASSAGE MAY 24 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO CONFIRMING THE FISCAL YEAR 2025
BUDGET REPORTS FOR AND LEVYING ANNUAL
ASSESSMENTS IN SPECIFIED PARKING AND BUSINESS
IMPROVEMENT AREAS.

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

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

WHEREAS, in accordance with the Parking and Business Improvement Area Law of 1965 (California Streets and Highways Code sections 36000-36081), 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 O-10450; O-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); and

WHEREAS, the Council intends to continue the improvements and activities undertaken by each of the Districts; and

WHEREAS, as required by California Streets and Highways Code section 36533, the respective advisory board for each 1989 Act District submitted an annual report (Budget Report) to the Council covering the time period commencing on July 1, 2024, and continuing through and including June 30, 2025 (Fiscal Year 2025); and

WHEREAS, the advisory board for the Downtown District submitted an annual Budget Report to the Council for Fiscal Year 2025; and

WHEREAS, effective April 22, 2024, the Council adopted Resolution R-315450, approving the Fiscal Year 2025 Budget Reports for each District; and

WHEREAS, on May 13, 2024, the Council conducted a public hearing, in accordance with California Streets and Highways Code section 36534(a)(6), and received public testimony and evidence regarding the levy of the proposed assessment in each 1989 Act District for Fiscal Year 2025; and

WHEREAS, as required by Council Policy 900-07, the City traditionally enters into a District management agreement with the business or merchants association (Association) appointed by the Council as the advisory board for each respective District for each respective Association to manage the daily operations of its District (Administration Requirement); and

WHEREAS, the City desires to waive the Administration Requirement in Council Policy 900-07 so that the City may directly manage the San Ysidro Business Improvement District and has the option to enter into a management agreement with an association, other than the Association appointed by Council as advisory board, to manage the daily operations of the San Ysidro Business Improvement District; and

WHEREAS, the City desires to extend the District management agreement for Fiscal Year 2025 (each, an Agreement) with each Association for the management of every District except the San Ysidro Business Improvement District; and

WHEREAS, the Office of the City Attorney has drafted this Resolution based on the information provided by City staff, including information provided by affected third parties and verified by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

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

1. The Fiscal Year 2025 Budget Report for each District, including a description of the specific District, the boundaries of the District and any benefit zones within the District, the proposed assessments to be levied upon businesses within the District, and the improvements and activities to be undertaken within the District during Fiscal Year 2025, is confirmed, as on file at the Office of the City Clerk with reference to the following document numbers:

<u>Business Improvement District</u>	<u>Document No.</u>
Adams Avenue	RR- <u>315450</u> - 1
City Heights	RR- <u>315450</u> - 2
College Area	RR- <u>315450</u> - 3
Diamond	RR- <u>315450</u> - 4
Downtown	RR- <u>315450</u> - 5
East Village	RR- <u>315450</u> - 6
El Cajon	RR- <u>315450</u> - 7
El Cajon Boulevard	RR- <u>315450</u> - 8
Gaslamp Quarter	RR- <u>315450</u> - 9
Hillcrest	RR- <u>315450</u> - 10
La Jolla	RR- <u>315450</u> - 11
Little Italy	RR- <u>315450</u> - 12
Mission Hills	RR- <u>315450</u> - 13
North Park	RR- <u>315450</u> - 14
Ocean Beach	RR- <u>315450</u> - 15
Old Town	RR- <u>315450</u> - 16
Pacific Beach	RR- <u>315450</u> - 17

San Ysidro

RR- **315450**-18

2. The adoption of this Resolution constitutes the continued levy of assessments on businesses located within each District during Fiscal Year 2025, to finance the improvements and activities set forth in the respective Fiscal Year 2025 Budget Report for District.

3. 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 Fiscal Year 2025 Budget Report for that District, including the “Fund Balance” and “Interest Fund Balance” from Fiscal Year 2024 at year end and the anticipated District assessments to be collected in Fiscal Year 2025, contingent upon the Chief Financial Officer certifying that funds are available.

4. The Administration Requirement in Council Policy 900-07 is waived with respect to the San Ysidro Business Improvement District.

5. The Agreement for Fiscal Year 2025 with each respective Association appointed by the Council as the advisory board for each District, except for the San Ysidro Business Improvement District, for management of daily District operations, is approved.

6. The Mayor or designee is authorized to sign, on the City’s behalf, each Agreement and any and all documents necessary and appropriate to implement each Agreement. A copy of each Agreement, when signed by the representatives of the City and the respective Association and approved by the City Attorney, shall be placed on file with the City Clerk as follows:

Business Improvement District

Document No.

Adams Avenue

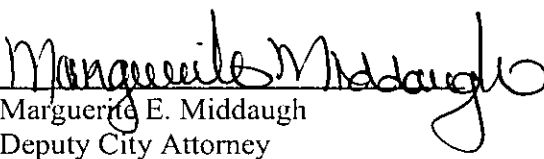
RR- **315512** - 1

City Heights

RR- **315512** - 2

College Area	RR- <u>315512</u> - 3
Diamond	RR- <u>315512</u> - 4
Downtown	RR- <u>315512</u> - 5
East Village	RR- <u>315512</u> - 6
El Cajon	RR- <u>315512</u> - 7
El Cajon Boulevard	RR- <u>315512</u> - 8
Gaslamp Quarter	RR- <u>315512</u> - 9
Hillcrest	RR- <u>315512</u> - 10
La Jolla	RR- <u>315512</u> - 11
Little Italy	RR- <u>315512</u> - 12
Mission Hills	RR- <u>315512</u> - 13
North Park	RR- <u>315512</u> - 14
Ocean Beach	RR- <u>315512</u> - 15
Old Town	RR- <u>315512</u> - 16
Pacific Beach	RR- <u>315512</u> - 17

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Marguerite E. Middaugh
Deputy City Attorney

MEM:jdf
03/12/2024
Or.Dept: Economic Development
Doc. No.: 3591268

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 13 2024.

DIANA J.S. FUENTES
City Clerk

By Connie Patterson
Deputy City Clerk

Approved: 5/24/24
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on MAY 13 2024, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<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"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Foster III	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<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"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAY 24 2024

(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:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By Connie Patterson, Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- **315512**