

#3316
6/14/2022

(R-2022-540)

RESOLUTION NUMBER R- 314171

DATE OF FINAL PASSAGE JUN 27 2022

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE REPORT SUBMITTED IN
CONNECTION WITH THE NORTH PARK PROPERTY AND
BUSINESS IMPROVEMENT DISTRICT FOR FISCAL
YEAR 2023 AND RELATED FUNDING ACTIONS.

WHEREAS, the Property and Business Improvement District Law of 1994, California Streets and Highways Code (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 July 11, 2017, the Council of the City of San Diego (City Council) adopted Resolution R-311234 (Resolution of Formation), forming the North Park Property and Business Improvement District (North Park PBID) for a term of five years in accordance with PBID Law; 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 January 1, 2018 through December 31, 2022, a copy of which is on file with the City Clerk as Document No. RR-311234-1; and

WHEREAS, under Streets and Highways Code section 36651, the Management District Plan states that North Park Main Street, a nonprofit corporation (NPMS), will manage the North Park PBID and provide the improvements, maintenance, and activities described in the Management District Plan under an operating agreement between the City of San Diego (City) and NPMS; and

WHEREAS, under Streets and Highways Code section 36625(b), the adoption of the Resolution of Formation constituted the levy of the assessments beginning January 1, 2018 and ending on December 31, 2022; and

WHEREAS, under Streets and Highways Code section 36650, the owners' association of a district shall cause to be prepared a report for each fiscal year, except the first year, for which assessments are to be levied and collected to pay the costs of the improvements, maintenance, and activities described in the report; and

WHEREAS, the owners' association prepared reports for the North Park PBID for Fiscal Years 2019, 2020, 2021 and 2022 (Annual Reports), which are on file and available for review in the Office of the City Clerk; and

WHEREAS, no assessments will be levied in the North Park PBID in Fiscal Year 2023; and

WHEREAS, the Fiscal Year 2023 Report includes the improvements, maintenance, and activities to be provided from July 1, 2022 through December 31, 2022 and the estimated cost of providing those improvements, maintenance, and activities; and

WHEREAS, the Fiscal Year 2023 Report includes the estimated remaining balance to be carried over from Fiscal Year 2022 to Fiscal Year 2023, the estimated contributions from non-assessment sources, and estimate of delinquent assessments received by the City; NOW, THEREFORE,

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

1. The Fiscal Year 2023 Report submitted for the North Park PBID, on file and available for review in the Office of the City Clerk as Document No. RR- **314171**, is approved as filed.

2. The Chief Financial Officer or designee is authorized to appropriate and expend funds in an amount not to exceed \$179,517 from North Park PBID Operating Funds, Fund 200734, for the operation and administration costs in the Annual Report, contingent upon the adoption of the Fiscal Year 2023 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 or designee is authorized to appropriate and expend any monies deposited in the North Park PBID Operating Fund, Fund 200734, in excess of estimated revenue and any carryover monies from previous fiscal years, including delinquent assessments received by the City in connection with assessments levied in Fiscal Years 2019 through 2022, contingent upon the adoption of the Fiscal Year 2023 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 or designee is authorized to expend funds in an amount not to exceed \$2,416 from the Gas Tax Fund, Fund 200118, for the purpose of costs associated with median maintenance within the North Park PBID for Fiscal Year 2023, contingent upon the adoption of the Fiscal Year 2023 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.

APPROVED: MARA W. ELLIOTT, City Attorney

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

DZS:jvg
05/27/2022
Or. Dept: Economic Development
Doc. No. 2989723_2

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUN 14 2022.

ELIZABETH S. MALAND
City Clerk

By Connie Patterson
Deputy City Clerk

Approved: 6/21/22
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on JUN 14 2022, 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"/>
Monica Montgomery Steppe	<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"/>
Chris Cate	<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 JUN 27 2022.

(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)

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

By Connie Patterson Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- **314171**