

(O-85-224)

ORDINANCE NUMBER O- 16481 (NEW SERIES)  
ADOPTED ON JUL 29 1985

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO ESTABLISHING THE NORTH PARK BUSINESS IMPROVEMENT DISTRICT PURSUANT TO THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1979 AND LEVYING AN ASSESSMENT AND CHARGE THEREIN FOR UPGRADING AND PROMOTING THE AREA.

WHEREAS, under and pursuant to the provisions of the Parking and Business Improvement Area Law of 1979, Section 36500 et seq. of the State of California Streets and Highways Code, herein called "said Law," this Council on JUN 17 1985,

adopted Resolution No. R- 263403, a resolution declaring an intention to form a parking and business improvement area known as "North Park Business Improvement District," providing for the levy of an assessment and charge to be imposed therein, fixing the time and place for hearing and giving notice thereof; and

WHEREAS, said Resolution No. R- 263403 was duly published, and copies thereof were mailed, as provided by said Law; and

WHEREAS, as specified in said Resolution No. R- 263403, a hearing concerning the formation of said area was held before this Council on JUL 16 1985 at the hour of 10:00 A.M. o'clock in the Council Chambers in the City Administration Building, 202 C Street, San Diego, California 92101; and

WHEREAS, at said hearing, all protests, both written and oral, made or filed, were considered and duly overruled and

denied and this Council determined that there was no majority protest within the meaning of Section 36523 of said Law; NOW, THEREFORE,

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

Section 1. Pursuant to said Law, a parking and business improvement area is hereby established, to be known as "North Park Business Improvement District," herein called "District." The area to be included in the District includes the North Park community area within the following address ranges:

<u>Street Name</u>	<u>Address Range</u>	<u>Business Improvement District Zone No.</u>
University Avenue	2750 - 3299	ZONE 1
30th Street	3800 - 3999	ZONE 1
Utah Street	3800 - 3999	ZONE 2
Granada Street	3800 - 3899	ZONE 2
Kansas Street	3900 - 3999	ZONE 2
29th Street	3800 - 3899	ZONE 2
Ray Street	3800 - 3899	ZONE 2
Ohio Street	3900 - 3999	ZONE 2
Grim Street	3800 - 3899	ZONE 2
Illinois Street	3900 - 3999	ZONE 2
31st Street	3800 - 3899	ZONE 2
Iowa Street	3900 - 3999	ZONE 2
Herman Street	3800 - 3899	ZONE 2
32nd Street	3800 - 3999	ZONE 2
Bancroft Street	3800 - 3999	ZONE 2
Boundary Street	3800 - 3999	ZONE 2
North Park Way	2850 - 3299	ZONE 2
Lincoln Avenue	2750 - 3299	ZONE 2

A map depicting the District is attached hereto as Exhibit A and incorporated herein by reference.

Section 2. The purpose of forming the aforementioned District is to provide revenue to defray the cost of any of the following:

- A. The acquisition, construction, or maintenance of parking facilities for the benefit of the area.
- B. Decoration of any public place in the area.
- C. Promotion of public events which are to take place on or in public places in the area.
- D. Furnishing of music in any public place in the area.
- E. The general promotion of business activities in the area.

The specific services and programs to be provided are those listed in Exhibit B, which is attached hereto and by this reference made a part hereof, and the services and programs listed thereon are the uses to which the revenue generated by the charges to be levied will be put.

Section 3. All businesses operating in the above-described area will be charged a share of the costs of the aforementioned services and programs according to the type of business and the benefit to be received as determined by the following:

A. Description of the District Zones:

1. ZONE 1 is University Avenue from Idaho Street to Interstate 805 and 30th Street from North Park Way to Lincoln Avenue. Businesses in this area will receive the greatest benefit from the promotional activities of the District.

2. ZONE 2 is the commercial side streets one block north and one block south of University Avenue adjacent to ZONE 1 and portions of North Park Way. It is anticipated that businesses in

this Zone will still receive a benefit, but not of the same magnitude as those directly on University Avenue and portions of 30th Street.

B. Description of the District Categories of Benefit:

1. CATEGORY A includes those businesses which will benefit most significantly from the increased awareness of the District as a place to do business and from an increase in foot and automobile traffic expected to be the end-product of the promotional activities of the District. The Category includes but is not limited to:

- Antique Dealers
- Arcades
- Auto Dealers
- Auto Repair
- Banks and Savings Institutions
- Bars and Taverns
- Dance Schools
- Exercise Studios
- Galleries
- Gasoline Stations
- Grocery Stores
- Health Clubs
- Hotels and Motels
- Pawn Shops
- Restaurants
- Retail Stores
- Theatres

2. CATEGORY B includes those businesses which interact with the public to a lesser extent than CATEGORY A, but these businesses will benefit from the increased awareness of the District as a place to do business and from an increase in foot and automobile traffic expected to be the end-product

of the promotional activities of the District. The

Category includes but is not limited to:

Accountants/Secretarial Services  
Advertising Agencies  
Apartments of Six or More Units  
Architects  
Attorneys  
Business Management Firms  
Dentists  
Designers  
Dispensing Opticians  
Engineers  
Film and Video Production Companies  
General Contractors  
Hair Salons and Barbers  
Hospitals/Medical Services/Health Services  
Interior Decorators  
Investigative Services  
Investment Companies  
Laboratories  
Medical Doctors  
Mortuaries/Funeral Homes  
Nonprofit Organizations  
Nursery Schools  
Optometrists  
Pet Grooming  
Photography Studios  
Psychologists  
Real Estate Offices  
Security Services  
Social Workers  
Storage Facilities  
Utility Companies  
Wholesale Manufacturing/Distributors

3. Businesses not specifically identified in CATEGORIES A or B shall be categorized by the City Treasurer upon application for a City general business license.

C. The charges to be imposed for those District businesses by Zone and Category of Benefit are as follows:

	<u>CATEGORY A</u>	<u>CATEGORY B</u>
ZONE 1	70.00	50.00
ZONE 2	60.00	40.00

The above-described charge is an annual charge and shall be levied, collected and enforced in the same manner, at the same time, and with the same penalties and interest as in the case of the general business license. For those businesses licensed for other than an annual license period, the City Treasurer shall determine the charge to be levied upon issuance of the City business license.

The total charge collected from any business under the provisions of the ordinance shall not exceed \$70.00 per annum.

The City will advance an amount not to exceed \$3,000.00 from the General Fund Unallocated Reserve which will be reimbursed when the District is established.

Section 4. That the Council hereby finds and determines that the public convenience and necessity require the establishment of the area hereinbefore described and that all of the businesses lying within the area will be benefited by the expenditure of the funds raised by the assessments or charges proposed to be levied.

Section 5. That all protest, both written and oral, are overruled and denied and the Council finds that there is not majority protest within the meaning of Section 36523 of said Law.

Section 6. That all of the businesses in the area established by this ordinance shall be subject to any amendments

to the provisions of the Parking and Business Improvement Area Law of 1979, Section 36500 et seq. of the State of California Streets and Highways Code.

Section 7. That all of the charges imposed pursuant to this ordinance be reviewed by the Council annually.

Section 8. This ordinance shall take effect and be in force on the thirtieth (30th) day from and after its passage, and no business licenses for commercial activities inconsistent with the provisions of this ordinance shall be issued unless application therefor was made prior to the date of adoption of this ordinance.

APPROVED: John W. Witt, City Attorney

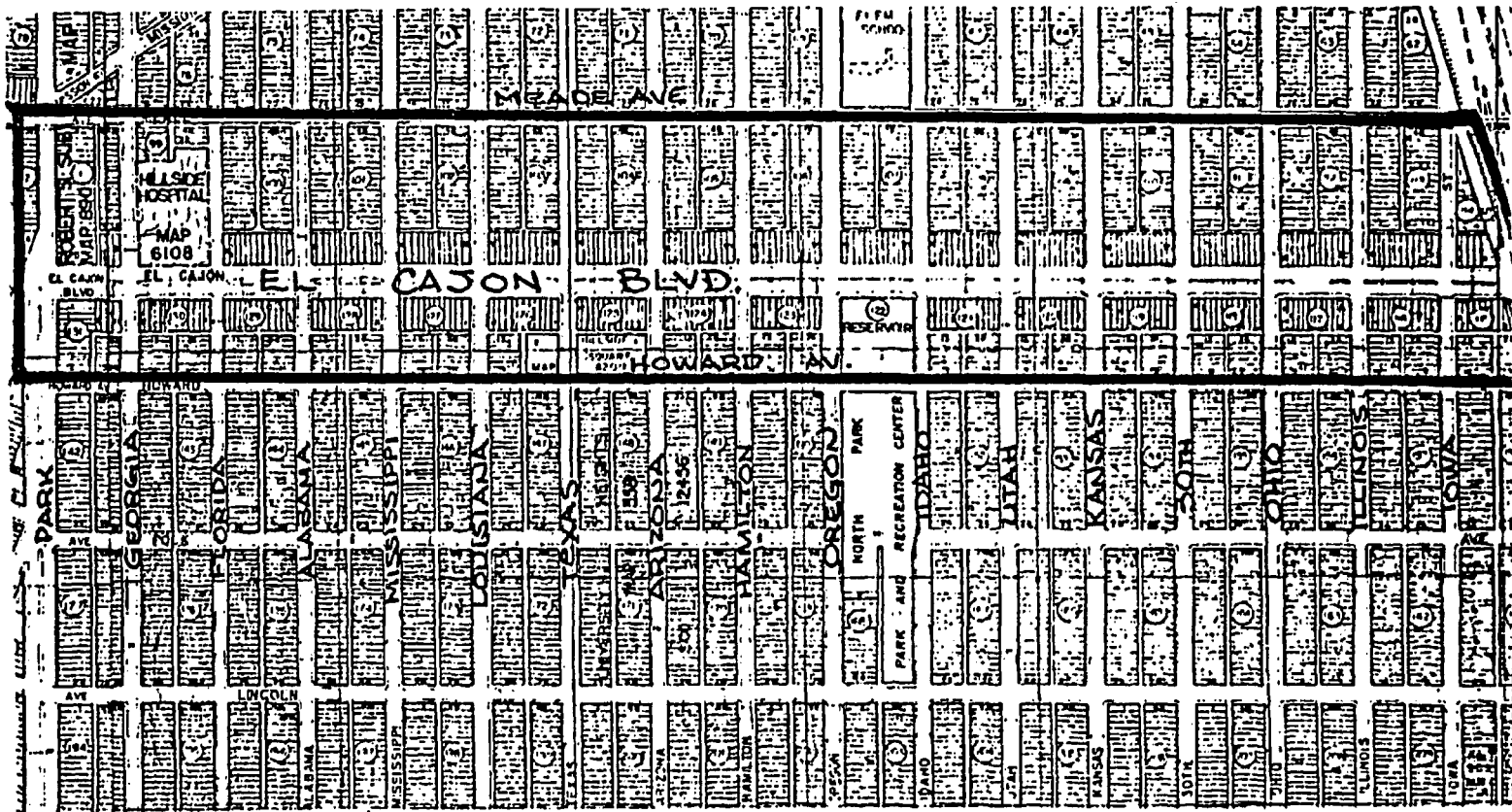
By



for Janis Sammartino Gardner  
Deputy City Attorney

JSG:ta:831.8  
6/13/85  
Or.Dept:Prop.  
O-85-224  
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EXHIBIT A



0- 16481  
C1159



## EXHIBIT B

<u>Number of Businesses</u>	300
<u>Projected Income</u>	
\$ 70 Average Assessment	\$ 21,000.00
<u>Operating Expenses</u>	
Office	Donated (1)
Telephone	\$ 750.00
Telephone Answering	\$ 600.00
Part-time Secretarial/clerical	\$ Donated (2)
Office Supplies	\$ 1,200.00
Total Operating Expenses	\$ 2,550.00
<u>Promotion Expenses</u>	
Advertising/Promotion	\$ 14,150.00 (3)
Business Development Programs	\$ 0.00 (4)
Newsletter	\$ 1,800.00 (5)
New Business Development	\$ 2,500.00 (6)
Total Promotion Expenses	\$ 18,450.00
Total Projected Expense (Operating and Promotion for 1st Year)	\$ 21,000.00

NOTES TO PROPOSED BUDGET

- (1) Office space for the first year of operation has been donated; paid office space probably necessary in subsequent years of operation
- (2) Goal is to secure donated part-time secretarial/clerical help for the first year of operation; paid secretarial/clerical help probably necessary in subsequent years of operation
- (3) May include professional services for ad placement, coordination, etc., and business directory.
- (4) Goal is to have free programs or at least self-supporting through fees; this item is included in budget because funding may be necessary in future years.
- (5) Newsletter to be circulated among members of Business Improvement District.
- (6) Expenses may include brochures, advertisements in business publications and professional services of a business development consultant.

0-16481

Passed and adopted by the Council of The City of San Diego on .....  
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible	
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Ed Struiksma	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
District 7	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	VACANT
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

AUTHENTICATED BY:

**ROGER HEDGECOCK**

Mayor of The City of San Diego, California.

**CHARLES G. ABDELNOUR**

City Clerk of The City of San Diego, California.

(Seal)

By *Maxwell G. Pontecorvo*, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

**JUL 16 1985**

**JUL 29 1985**

, and on .....

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

**CHARLES G. ABDELNOUR**

City Clerk of The City of San Diego, California.

(Seal)

By *Maxwell G. Pontecorvo*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance **0-16481** **JUL 29 1985**  
 Number ..... Adopted .....

**JUL 29 1985**

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Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
District 7	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VACANT

AUTHENTICATED BY:

**ROGER HEDGECOCK**

Mayor of The City of San Diego, California.

**CHARLES G. ABDELNOUR**

City Clerk of The City of San Diego, California.

(Seal)

By Maxwell G. Portecor, Deputy.

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**CHARLES G. ABDELNOUR**

City Clerk of The City of San Diego, California.

(Seal)

By Maxwell G. Portecor, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-16481

**JUL 29 1985**

Adopted \_\_\_\_\_