

**RESOLUTION NO. 2019-25**

**A RESOLUTION OF THE CITY COUNCIL OF THE CHARTERED CITY OF VISTA, CALIFORNIA, GIVING NOTICE OF INTENTION OF THE CITY COUNCIL TO LEVY AN ANNUAL ASSESSMENT OF THE CENTRAL VISTA BUSINESS IMPROVEMENT DISTRICT, AND FIXING A DATE AND TIME OF A PUBLIC HEARING TO CONSIDER THE ANNUAL LEVY**

**The City Council of the City of Vista does resolve as follows:**

**1. Findings.** The City Council hereby finds and declares the following:

A. Pursuant to the Parking and Business Improvement Area Law of 1989 ("Law"), commencing with section 36500 of the California Streets and Highways Code, the Central Vista Business Improvement District ("District") was established by adoption of Ordinance No. 95-8 (Chapter 3.52 of the Vista Municipal Code) on August 22, 1995, and amended by the adoption of Ordinance No. 2006-3 on February 14, 2006.

B. On February 13, 2018, adopted City Council Resolution No. 2018-30, confirming the 2018/19 Annual Report for the Central Vista Business Improvement District and levying the assessment for the 2018/19 fiscal year.

C. The Advisory Board has completed its Annual Report for fiscal year 2019/20 and recommendations for the fiscal year commencing July 1, 2019 ("Report"), and the City Council intends now to approve the Report and to fix a date and time for a public hearing on the Report.

**2. Action.**

A. The Report of the Advisory Board of the Central Vista Business Improvement District, a true and correct copy of which is on file and available for public inspection in the Office of the City Clerk, has been approved by the City Council.

B. The City Council hereby declares its intention to levy and collect assessments on businesses within the District for the fiscal year commencing July 1, 2019, in the amounts as described in Attachment 1, Proposed Levy of Assessment for Fiscal Year 2019/20, attached hereto and incorporated herein. The assessments proposed to be levied are based upon the estimated benefit to the businesses and property within the District.

C. The Central Vista Business Improvement District is located generally in the downtown Vista commercial area located along South Santa Fe Avenue, between Valencia Drive on the west to Civic Center Drive on the east, including the Historic Downtown, Vista Village and Paseo Santa Fe, is shown in Attachment 2.

D. The improvements and activities authorized by Chapter 3.52 of the Vista Municipal Code proposed to be provided within the District for Fiscal Year 2019/20, including any changes or modifications proposed thereto, are described in Attachment 3.

E. The public hearing to be conducted by the City Council for consideration of the proposed assessments is hereby fixed for Tuesday, March 12, 2019, at 5:30 p.m., or as soon thereafter as the City Council is able to take up the matter. The public hearing shall be conducted in the City Council Chambers at 200 Civic Center, Vista, California.

F. At the public hearing, the City Council will consider all protests, both written and oral, presented to the City Council prior to the close of the hearing. Each written protest shall contain a description of the business in which the person subscribing the protest is interested sufficiently to identify the business, and if a person subscribing is not shown on the official records of the City as the owner of the business, the protest shall contain or be accompanied by written evidence that the person subscribing is the owner of the business. A written protest which does not comply with this section shall not be counted in determining a majority protests. If written protests are received from the owners of businesses in the District which will pay 50 percent or more of the assessments proposed to be levied and protests are not withdrawn so as to reduce the protests to less than that 50 percent, no further proceedings to levy the proposed assessment, as contained herein, shall be taken for a period of one year from the date of the finding by the City Council that a majority protest exists. If the majority protest is only against the furnishing of a specified type of improvement or activity within the District, those types of improvements or activities shall be eliminated.

G. The City Clerk shall cause a copy of this Resolution to be published once in a newspaper of general circulation within the City at least seven (7) days prior to the date of the hearing in accordance with Section 36523 of the Law.

**3. Adoption.** PASSED AND ADOPTED at a meeting of the City Council held on February 26, 2019, by the following vote:

AYES: Mayor Ritter, Rigby, Franklin, Green, Contreras

NOES: None

ABSTAIN: None

APPROVED AS TO FORM:  
DAROLD PIEPER, CITY ATTORNEY

By: 

APPROVED  
Jonathan B. Stone  
0825 020719

  
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JUDY RITTER, MAYOR

ATTEST:  
KATHY VALDEZ, CITY CLERK

By: 