

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF PASADENA TO DISESTABLISH
THE OLD PASADENA BUSINESS IMPROVEMENT DISTRICT**

The People of the City of Pasadena do ordain as follows:

SECTION 1. That the City Council of the City of Pasadena hereby finds, determines, and declares as follows:

(a) That on July 25, 1989, the Board of Directors of the City of Pasadena adopted Ordinance No. 6341 which established the Old Pasadena Business Improvement District of the City ("BID") pursuant to the Parking and Business Improvement Area Law of 1979 (Former Streets and Highways Code Section 36500, *et. seq.*) as a funding mechanism for a variety of business related programs and activities in Old Pasadena; and

(b) That effective January 1, 1990, the law under which the BID was formed was repealed and in its place was enacted the Parking and Business Improvement. Area Law of 1989 (Streets and Highways Code Section 36500, *et. seq.*), which new law provides that every business improvement district established prior to January 1, 1990 is declared valid and effective and is unaffected by the repeal of that prior law; and

(c) That on June 26, 2000, the City Council of the City of Pasadena adopted Resolution No. 7884 which established the property owner-based Old Pasadena Management District ("PBID") pursuant to the Property and Business Improvement District Law of 1994 (Streets and Highways Code Section 36600, *et. seq.*); and

(d) That the PBID provides a more stable funding and management mechanism which will allow a more comprehensive property and business improvement program than has been possible through the BID; and

(e) That the Advisory Board of the BID has determined that the BID is no longer necessary in light of the establishment of the PBID; and

(f) That the Advisory Board of the BID has requested the City Council to disestablish the existing BID; and

(g) That pursuant to Streets and Highways Code Section 36550, the City Council may disestablish a business improvement area by adopting an Ordinance, after adopting a resolution of intention and holding a noticed public hearing; and

(h) That the City Council adopted a resolution of intention to disestablish the BID on October 23, 2000; and

1/8/2001
9. B. (2)

(i) That the City Council held a duly noticed public hearing to disestablish the BID on November 13, 2000 in the Council Chambers located at 100 N. Garfield Avenue, Pasadena, California.

Section 2. Pursuant to the provisions of Section 36550 of the California Streets and Highways Code the BID is hereby disestablished.

Section 3. Any remaining revenues derived from the levy of assessments or any revenues derived from the sale of assets acquired with assessment revenues shall first be applied to repay outstanding obligations incurred in connection with the BID program. Remaining revenues, if any, shall be refunded to existing business owners within the BID applying the same method and basis that was used to calculate assessments levied in the most recent fiscal year.

Section 4. If any action, section, clause or phrase of this ordinance is, for any reason, held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council declares that it would have passed and does hereby pass this ordinance, and each sentence, section, clause and phrase hereof, irrespective of the fact that any one or more sections, sentences, clauses or phrases be declared invalid or unconstitutional.

Section 5. The City Clerk shall certify to the adoption of this ordinance and cause the same to be published within 15 days of its adoption, at least once, in a newspaper of general circulation and published and circulated in the City of Pasadena, California.

I hereby certify that the foregoing ordinance was passed by the Council of the City of Pasadena, at its meeting of _____, by the following vote:

AYES:

NOES:

ABSENT:

Published:

By _____
City Clerk

Approved as to Form

City Attorney

