

# **Civic Community Partners for the benefit of San Ysidro BID Advisory Working Group**

**January 22, 2025**

**Formation of New Entity 501( C ) 6 and/or 501 ( C ) 3**

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**CIVIC  
COMMUNITY  
PARTNERS**

CIVIC-MINDED, COMMUNITY-FOCUSED

# Requested Action

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That the San Ysidro BID Advisory Working Group receives a presentation on the formation of a new entity 501 (C ) 6 and/or 501 (C ) 3 to contract with the City of San Diego to manage the SY BID in the future.

# El Cajon Blvd BIA

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- The District encompasses 60 blocks along El Cajon Blvd, traversing the communities of University Heights, North Park, Normal Heights, Kensington, Talmadge and City Heights.
- The El Cajon Blvd BIA (ECB) is committed to improving the physical and economic conditions along the El Cajon Blvd Corridor and its surrounding neighborhoods in Mid-City.
- Goals:
  - To understand and advocate for the small business needs of the membership
  - To ensure the Blvd's future as a safe and pleasant place to live, work and do business
  - To continue bringing public improvement activity onto the Blvd
  - To promote reasonable infill development along the Blvd including a business mix

# Little Italy Association of SD

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- The Little Italy Association of San Diego is a 501(c)(3) public benefit corporation that was established in 1996 to oversee and expedite the revitalization and beautification of the Little Italy neighborhood in Downtown San Diego. The Association represents the property owners, residents, and businesses of Little Italy.
- The Little Italy Association pledges to advocate on behalf of its members and residents in the areas of public safety, beautification, and economic development while preserving the unique cultural resources that exist in the Little Italy Community.
- The Little Italy Association oversees its Maintenance Assessment District. A MAD is also known as Landscape Maintenance Districts, Lighting and Maintenance Districts and/or Community Benefit Districts.

# North Park Main Street

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- North Park Main Street is both a business improvement district established by the City of San Diego, and a Main Street program affiliated with the National Trust for Historic Preservation. As a volunteer-based, 501(c)(6) non-profit organization, North Park Main Street (NPMS) advocates for North Park's business community, administers the North Park Business Improvement District (BID), and champions development that preserves the community's historic integrity, supports its Arts, Culture & Entertainment District, and promotes an urban, pedestrian-friendly shopping / dining environment.

## Activities

- Galvanizing local business leadership and enhancing communication and collaborations
- Hosting annual North Park Events
- Promoting preservation of business community's historic character
- Marketing downtown commercial district to attract investment and customers
- Promoting urban village style planning principles and ensuring quality development
- Assisting developers , business owners and tenants navigate regulatory requirements and access available resources
- Coordinating efforts to address downtown transportation and parking issues
- Manages the North Park Garage

# 501( C ) ( 3 ) vs 501 ( C ) ( 6 )

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The Internal Revenue Service (IRS) states that both 501c3 and 501c6 organizations do not have to pay federal income taxes, but after that, the differences between the two organization types are vast.

501(c)(3) organizations must serve the public. 501(c)(6) organizations are formed to serve their members. 501(c)(6) organizations are often termed nonprofit membership organizations and non-charitable organizations as well.

The IRS states that to be tax-exempt, a **501(c)(3)** must be organized and operated exclusively for one or more exempt purposes. These purposes are limited by the IRS to the following –

- Charitable,
- Religious,
- Educational,
- Scientific, and literary,
- Testing for public safety,
- Fostering national or international amateur sports, and
- Preventing cruelty to children or animals.

A **501(c)(6)** organization is an association of persons having common business interests. The organization's purpose must be to promote their common interest and improve business conditions, not to engage in a regular business for profit.

501c6 organizations include the following –

- Business leagues,
- Chambers of Commerce,
- Real estate boards,
- Boards of Trade, and
- Professional football leagues.

# 501( C ) ( 3 ) vs 501 ( C ) ( 6 )

	501(c)(3)	501(c)(6)
<b>Purpose and activity</b>	<ul style="list-style-type: none"> <li>Charitable and educational.</li> <li>Services like housing, food distribution, education, religion, or other publicly beneficial actions.</li> </ul>	<ul style="list-style-type: none"> <li>Not charitable.</li> <li>Promotes common interests and improves business conditions. For e.g. business leagues, chambers of commerce, boards of trade, and professional football leagues.</li> </ul>
<b>Tax-exempt status</b>	<ul style="list-style-type: none"> <li>Exempt from federal, state, and local taxes.</li> <li>Requires Form 1023 or Form 1023-EZ.</li> <li>Cost - \$600 or \$275</li> </ul>	<ul style="list-style-type: none"> <li>Exempt from federal taxes, may not be from state and local taxes.</li> <li>Requires Form 1024.</li> <li>Cost - \$600</li> </ul>
<b>Lobbying</b>	<ul style="list-style-type: none"> <li>Can advocate for causes within reason.</li> <li>More restrictions - cannot influence legislation and support a candidate.</li> </ul>	<ul style="list-style-type: none"> <li>Can participate in unlimited lobbying if related to their purpose.</li> <li>Fewer restrictions - IRS will assess proxy tax penalty.</li> </ul>
<b>Political involvement</b>	<ul style="list-style-type: none"> <li>Cannot participate in political campaigns or electioneering.</li> </ul>	<ul style="list-style-type: none"> <li>Can actively take part in political and election campaign activities.</li> <li>Must report percentage dues used on these activities to their members.</li> </ul>

	501(c)(3)	501(c)(6)
<b>Fundraising and donations</b>	<ul style="list-style-type: none"> <li>Donations are considered charitable and tax-deductible.</li> </ul>	<ul style="list-style-type: none"> <li>Donations are not tax-deductible.</li> </ul>
<b>Donor disclosure on IRS Form 990</b>	<ul style="list-style-type: none"> <li>Must report donor information for gifts of \$5,000 or more.</li> </ul>	<ul style="list-style-type: none"> <li>Not required to report donor information to the IRS.</li> </ul>
<b>Donor disclosure to the public</b>	<ul style="list-style-type: none"> <li>Private foundations must disclose donors to the public.</li> <li>Public charities don't have to disclose donors.</li> </ul>	<ul style="list-style-type: none"> <li>Not required to report donor information to the public.</li> </ul>
<b>Grants</b>	<ul style="list-style-type: none"> <li>Can give and receive grants.</li> </ul>	<ul style="list-style-type: none"> <li>Can receive grants if the company allows them to apply.</li> </ul>