

1 [Union Square Business Improvement District]
2 DECLARING THE INTENTION OF THE BOARD OF SUPERVISORS TO ESTABLISH A
3 PROPERTY AND BUSINESS IMPROVEMENT DISTRICT TO BE KNOWN AS THE "UNION
4 SQUARE BUSINESS IMPROVEMENT DISTRICT," TO ORDER THE LEVY AND
5 COLLECTION OF A MULTI-YEAR ASSESSMENT, AND SETTING A TIME AND PLACE
6 FOR A PUBLIC HEARING THEREON.

7 WHEREAS, Whereas Proposition 218 was adopted on November 6, 1996, adding
8 Articles XIIC and XIID to the California Constitution; and,

9 WHEREAS, Articles XIIC and XIID of the California Constitution impose certain
10 procedural and substantive requirements relating to assessments (as defined); and,

11 WHEREAS, The Property and Business Improvement Law of 1994 (California Streets
12 and Highways Code Sections 36600 et seq.) authorizes cities to establish property and
13 business improvement districts for the purpose of levying assessments on real property for
14 certain purposes; and,

15 WHEREAS, A petition has been filed by property owners who will pay more than 50
16 percent of the total amount of assessments to be levied, requesting the Board of Supervisors
17 to establish such a district to be named the Union Square Business Improvement District;
18 now, therefore, be it

19 RESOLVED, That the Board of Supervisors declares as follows:

20 Section 1. Pursuant to Sections 36600 et seq. of the California Streets and
21 Highways Code ("the Act"), the Board of Supervisors declares its intent to consider the
22 establishment of a property and business improvement district to be named the Union Square
23 Business Improvement District ("the District"), and to order the levy and collection of
24 assessments for the next five fiscal years beginning July 1, 1999 and ending June 30, 2004,
25 for the costs and incidental expenses of establishing and maintaining the District that have

1 been determined to specially benefit the assessed properties, subject to approval by a
2 majority (weighted according to the proportional financial obligations of the property) of the
3 property owners in the District. The boundaries of the District shall be as set forth in the map
4 entitled "Proposed Boundaries of the Union Square Business Improvement District, City and
5 County of San Francisco, State of California," on file with the Clerk of the Board of
6 Supervisors in File No. 981844.

7 Section 2. The Board of Supervisors hereby approves the Management District Plan,
8 a copy of which is on file with the Clerk of the Board of Supervisors in File No.
9 981844, including the estimates of the costs of maintaining the services set forth
10 therein and the assessment of said costs. The Management District Plan contains the
11 following information as required by Section 36622 of the Act:

12 (a) A map of the district in sufficient detail to locate each parcel of property within
13 the district;

14 (b) The name of the proposed district;

15 (c) A description of the boundaries of the district, including the boundaries of any
16 benefit zones, proposed for establishment in a manner sufficient to identify the lands
17 included;

18 (d) The improvements and activities proposed for each year of operation of the
19 district and the maximum cost thereof;

20 (e) The total annual amount proposed to be expended for improvements,
21 maintenance and operations in each year of operation of the district;

22 (f) The proposed source or sources of financing, including the proposed method
23 and basis of levying the assessment in sufficient detail to allow each property owner to
24 calculate the amount of the assessment to be levied against his or her property;

25 (g) The time and manner of collecting the assessment;

- 1 (h) The specific number of years in which assessments will be levied;
- 2 (i) The proposed time for implementation and completion of the management
3 district plan;
- 4 (j) Any proposed rules and regulations to be applicable to the district;
- 5 (k) A list, by assessor's parcel number, of the properties to be benefited, and a
6 statement of the method or methods by which the expenses of the district will be imposed
7 upon benefited real property, in proportion to the benefit received by the property, to defray
8 the cost thereof, including operation and maintenance.

9 Section 3. The Board of Supervisors hereby approves the form of the Notice of
10 Public Hearing and Assessment Ballot which are on file with the Clerk of the Board of
11 Supervisors in File No. 981845.

12 Section 4. Within the area encompassed by the proposed district, the City currently
13 provides services at the same level provided to other similar areas of the City. It is the intent
14 of the Board of Supervisors to continue to provide the area encompassed by the proposed
15 district with the same level of services provided to these other similar areas of the City. The
16 formation of the district will not affect the City's policy to continue to provide the same level of
17 service to the areas encompassed by the district as it provides to other similar areas of the
18 City during the duration of the district.

19 Section 5. A public hearing on the establishment of the proposed district shall be
20 conducted before the Board of Supervisors on January 25, 1999 at 3 p.m. or as soon
21 thereafter as the matter may be heard, in the Board's Legislative Chambers, Second Floor,
22 City Hall, 1 Dr. Carlton Goodlett Place, San Francisco, California, 94102. At this hearing, the
23 Board of Supervisors will hear testimony regarding the proposed district, including testimony
24 from all interested persons for or against establishment of the District, the extent of the
25 District, and the furnishing of specific types of service, improvements or activities. The Board

1 of Supervisors may waive any irregularity in the form or content of any written protest, and at
2 the public hearing may correct minor defects in the proceedings. All protests submitted by
3 affected property owners and received prior to the conclusion of this public hearing shall be
4 tabulated to determine whether a majority protest exists.

5 Section 6. The Clerk of the Board is directed to give notice of the public hearing as
6 provided in Section 53753 of the Government Code, Section 4 of Article XIID of the
7 California Constitution, Section 16.112 of the San Francisco Charter and Section 67.7-1 of
8 the San Francisco Administrative Code.

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City and County of San Francisco

Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102-4532

Tails Resolution

File Number: 981844

Date Passed:

Resolution declaring the intention of the Board of Supervisors to establish a property and business improvement district to be known as the "Union Square Business Improvement District," to order the levy and collection of a multi-year assessment, and setting a time and place for a public hearing thereon (January 25, 1999 at 3:00 p.m. or as soon thereafter as the matter may be heard).

December 7, 1998 Board of Supervisors — ADOPTED


Ayes: 6 - Brown, Katz, Kaufman, Leno, Teng, Yaki

Noes: 3 - Ammiano, Bierman, Yee


Absent: 2 - Medina, Newsom

File No. 981844

I hereby certify that the foregoing Resolution was ADOPTED on December 7, 1998 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board



Mayor Willie L. Brown Jr.

DEC - 8 1998
Date Approved