

1 [Annual Report - Greater Union Square Business Improvement District and Modify
Management District Plan]

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3 **Resolution regarding Greater Union Square Business Improvement District,**
4 **receiving and approving the District's Annual Report for FY2009-2010 as**
5 **submitted pursuant to Section 36650 of the Property and Business Improvement**
6 **District Law of 1994 (California Streets and Highways Code §§36600 *et seq.*) and**
7 **Section 3.4 of the District's Management Agreement with the City, which includes**
8 **the District's proposed budget for FY2010-2011; modifying the Management**
9 **District Plan in accordance with the Annual Report; conforming the Management**
10 **Agreement to changes in the Management District Plan.**

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12 WHEREAS, on June 2, 2009, pursuant to the Property and Business
13 Improvement District Law of 1994 (California Streets and Highways Code Sections
14 36600 *et seq.*), as augmented by Article 15 of the San Francisco Business and Tax
15 Regulations Code, the Board of Supervisors adopted Resolution No. 208-09 "Resolution
16 of Intention to form the Greater Union Square Business Improvement District (BID)"
17 ("Resolution of Intention," to re-establish and expand the then-existing Union Square
18 BID, to be known as the Greater Union Square BID); and,

19 WHEREAS, on July 28, 2009 the Board of Supervisors adopted Resolution
20 No. 320-09 "Resolution to Establish the Greater Union Square Business Improvement
21 District" ("Resolution to Establish") for a period of 10 years commencing with fiscal year
22 2009-2010, which included approval of a Management District Plan dated July 28, 2009
23 (copy on file with the Clerk of the Board of Supervisors in File No. 090935); and,

24 WHEREAS, on January 26, 2010 the Board of Supervisors adopted Resolution
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1 No. 19-10 "Contract with Owners' Association for Administration/Management of
2 Greater Union Square Business Improvement District," and a Management Agreement
3 with the nonprofit property owners' association Union Square Business Improvement
4 District, Inc. was executed accordingly; and,

5 WHEREAS, the nonprofit property owners' association Union Square Business
6 Improvement District, Inc. has recently passed a Resolution to expand the authorized
7 number of members on its Board of Directors from 11 to 23, and expand the
8 composition criteria for its Board members, in order to better represent District members
9 and better accomplish the District's purpose; and,

10 WHEREAS, the provision of Cleaning and Maintenance services and Public
11 Safety services to the District has evolved since July 2009 to include additional
12 personnel and additional hours, including additional hours for the Dispatch Center; and,

13 WHEREAS, modification of the July 28, 2009 Management District Plan is now
14 proposed, to provide that the authorized number of members on the nonprofit property
15 owners' association Board of Directors is expanded from 11 to 23, expand the
16 composition criteria for the Board of Directors, update information about Cleaning and
17 Maintenance services and Public Safety services provided by the District, and clarify the
18 assessment methodology for parcels with no direct street frontage, all as shown in the
19 Revised Management District Plan dated October 2010 that is on file with the Clerk of
20 the Board of Supervisors in File No. 101359; and,

21 WHEREAS, the current Management Agreement will need to be modified to
22 conform to these changes in the Management District Plan; now, therefore, be it

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1 RESOLVED, that the Board of Supervisors declares as follows:

2 **Section 1. RECEIPT AND APPROVAL OF THE GREATER UNION SQUARE**
3 **BUSINESS IMPROVEMENT DISTRICT'S ANNUAL REPORT TO THE CITY.**

4 The Board hereby receives and approves the Greater Union Square Business
5 Improvement District's Annual Report for District Fiscal Year 2009-2010, that includes
6 the proposed budget for Fiscal Year 2010-2011.

7 Supporting documents for this Annual Report are on file with the Clerk of the
8 Board of Supervisors in File No. 101359, and include a transmittal letter and
9 memorandum report from the City's Office of Economic and Workforce Development
10 dated October 20, 2010, and documentation from the nonprofit property owners'
11 association Union Square Business Improvement District, Inc.

12 This Annual Report is submitted pursuant to Section 36650 of the Property and
13 Business Improvement District Law of 1994 (California Streets and Highways Code
14 §§36600 *et seq.*), and pursuant to Section 3.4 of the District's Management Contract
15 with the City (*i.e.*, Section 3.4 of the City's agreement/contract with the nonprofit
16 property owners' association Union Square Business Improvement District, Inc., for
17 management and administration of the Greater Union Square Business Improvement
18 District) which is on file with the Clerk of the Board of Supervisors in File No. 091437 (re
19 Resolution No. 19-10).

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1 **Section 2. MODIFICATION OF MANAGEMENT DISTRICT PLAN.**

2 The Management District Plan dated July 28, 2009 that was approved by the
3 Board of Supervisors as part of the 2009 renewed/expanded establishment of the
4 District (copy on file with Clerk of the Board of Supervisors in File No. 090935, re
5 Resolution No. 320-09), is hereby modified in accordance with the Revised
6 Management District Plan dated October 2010 that is on file with Clerk of the Board of
7 Supervisors in File No. 101359, to:

- 8 • Update information about Cleaning and Maintenance services, including the
9 increased number of full-time equivalent workers, increased hours, and a
10 further description of duties;
- 11 • Update information about Public Safety Services, including increased hours
12 for uniformed (red jacket with the District logo) Community Service
13 Ambassadors and for the District's Central Dispatch Center;
- 14 • Clarify the assessment methodology for parcels with no direct street frontage,
15 by providing that: "Assessor's Parcels that do not have direct street frontage,
16 as a result of being located on a floor other than the ground floor, will be
17 assigned Linear Street Footage based upon their portion of the entire
18 building's assigned Linear Frontage and land use;"
- 19 • Expand the Board of Directors from 11 to 23 members;
- 20 • Expand the composition criteria for the Board of Directors to ensure broad
21 representation from the District, including the retail, hospitality (*i.e.* hotel and
22 restaurant) and entertainment industries, service providers, and other
23 commercial and residential property stake holders.

1 **Section 3. CONFORMING THE DISTRICT'S MANAGEMENT AGREEMENT**
2 **(CONTRACT) BETWEEN THE CITY AND THE NONPROFIT OWNERS'**
3 **ASSOCIATION.**

4 The Office of Economic and Workforce Development is hereby authorized to
5 enter into amendments of the City's "Management Agreement" with the nonprofit
6 property owners' Greater Union Square Business Improvement District, Inc. dated July
7 1, 2009, to conform the Management Agreement to the Revised Management District
8 Plan as approved in Section 2 of this Resolution, above. A copy of the July 1, 2009
9 Management Agreement is on file with the Clerk of the Board of Supervisors in File No.
10 091437 (re Resolution No. 19-10).