

File No. 130635

Committee Item No. _____
Board Item No. 43

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____

Date _____

Board of Supervisors Meeting

Date July 23, 2013

Cmte Board

<input type="checkbox"/>	<input type="checkbox"/>	Motion
<input type="checkbox"/>	<input type="checkbox"/>	Resolution
<input type="checkbox"/>	<input type="checkbox"/>	Ordinance
<input type="checkbox"/>	<input type="checkbox"/>	Legislative Digest
<input type="checkbox"/>	<input type="checkbox"/>	Budget and Legislative Analyst Report
<input type="checkbox"/>	<input type="checkbox"/>	Youth Commission Report
<input type="checkbox"/>	<input type="checkbox"/>	Introduction Form
<input type="checkbox"/>	<input type="checkbox"/>	Department/Agency Cover Letter and/or Report
<input type="checkbox"/>	<input type="checkbox"/>	MOU
<input type="checkbox"/>	<input type="checkbox"/>	Grant Information Form
<input type="checkbox"/>	<input type="checkbox"/>	Grant Budget
<input type="checkbox"/>	<input type="checkbox"/>	Subcontract Budget
<input type="checkbox"/>	<input type="checkbox"/>	Contract/Agreement
<input type="checkbox"/>	<input type="checkbox"/>	Form 126 – Ethics Commission
<input type="checkbox"/>	<input type="checkbox"/>	Award Letter
<input type="checkbox"/>	<input type="checkbox"/>	Application
<input type="checkbox"/>	<input type="checkbox"/>	Public Correspondence

OTHER

(Use back side if additional space is needed)

<input type="checkbox"/>	<input checked="" type="checkbox"/>	Notice of Public Hearing
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Board of Supervisors Resolution No. 165-13
<input type="checkbox"/>	<input type="checkbox"/>	_____
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Completed by: _____ Date _____
Completed by: Alisa Miller Date July 18, 2013

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document can be found in the file.

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco, will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: Tuesday, July 23, 2013

Time: 3:00 p.m.

Location: Legislative Chamber, Room 250 located at City Hall
1 Dr. Carlton B. Goodlett Place, San Francisco, CA

Subject: Public Hearing pursuant to the California Property and Business Improvement District Law of 1994 (Streets and Highways Code §§ 36600 et seq.) and City and County of San Francisco Business and Tax Regulations Code Article 15, to consider establishment of a property-based assessment district to be known as the Top of Broadway Community Benefit District

Pursuant to the California Property and Business Improvement District Law of 1994 (Streets and Highways Code §§ 36600 et seq.) and City and County of San Francisco Business and Tax Regulations Code Article 15, this is to notify you that a petition signed by property owners to form a property and business improvement district in your area was received by the Clerk of the Board of Supervisors on May 7, 2013. The proposed district would be known as the Top of Broadway Community Benefit District (CBD).

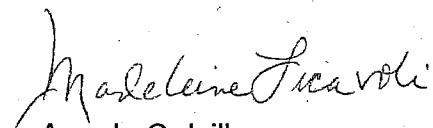
If this Property and Business Improvement District is formed, it would authorize assessments against real property in the district for eight years with services to be implemented January 1, 2014, through December 31, 2021. The Top of Broadway Community Benefit District would fund and provide the following services, activities and improvements:

- 1) District Identity
- 2) Sidewalk Operations and Beautification
- 3) Administration, Organization, and Corporate Operations

Formation of the property and business improvement district is subject to the approval of the Board of Supervisors after noticed public hearings and a vote by the property owners who would be subject to the assessments. Following public comment, ballots submitted by the property owners in the proposed Top of Broadway Community Benefit District (CBD) will be counted by the Department of Elections and the results will be announced by the Board of Supervisors. If the ballot election does not result in a majority protest against formation of the proposed district, the Board of Supervisors may vote to establish the Top of Broadway Community Benefit District (CBD).

Further information about this petition and proposed district, including the district management plan, which describes the boundaries, operations and activities of the proposed district, may be reviewed in Legislative File No. 130419 at the Office of the Clerk of the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco. Alternatively, information may be accessed on the Board of Supervisors web site at www.sfbos.org and on the Department of Elections Website at www.sfgov.org/elections.

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be made a part of the official public records in these matters, and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton Goodlett Place, San Francisco, 94102.


Angela Calvillo
Clerk of the Board

DATED: June 28, 2013
MAILED: July 3, 2013
PUBLISHED: July 12, 2013

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

NOTIFICACIÓN DE AUDIENCIA PÚBLICA

JUNTA DE SUPERVISORES DE LA CIUDAD Y CONDADO DE SAN FRANCISCO

POR MEDIO DE LA PRESENTE SE NOTIFICA QUE la Junta de Supervisores de la Ciudad y Condado de San Francisco, tendrá una audiencia pública para considerar la siguiente propuesta y dicha audiencia pública se llevará a cabo de la siguiente manera, momento en el cual todas las partes interesadas podrán asistir y ser escuchadas:

Fecha: Martes, 23 de Julio de 2013

Hora: 3:00 p.m.

Lugar: Cámara Legislativa, Sala 250 localizada en la Alcaldía
1 Dr. Carlton B. Goodlett Place, San Francisco, CA

Asunto: Audiencia pública conforme a la Ley de Distrito de Mejoras a la Propiedad y Negocios de California "California Property and Business Improvement District Law" de 1994 (Código de Calles y Carreteras "Streets and Highways Code" §§ 36600 et seq.) y el Código de Regulación de Negocios e Impuestos de la Ciudad y Condado de San Francisco "City and County of San Francisco Business and Tax Regulations Code" Artículo 15, para considerar la creación de un distrito basado en la evaluación de propiedad que se conocerá como el Distrito de Beneficio a la Comunidad de la Parte Superior de la Calle Broadway (Top of Broadway Community Benefit District)

Conforme a la Ley de Distrito de Mejoras a la Propiedad y Negocios de California "California Property and Business Improvement District Law" de 1994 (Código de Calles y Carreteras "Streets and Highways Code" §§ 36600 et seq.) y el Código de Regulación de Negocios e Impuestos de la Ciudad y Condado de San Francisco "City and County of San Francisco Business and Tax Regulations Code" Artículo 15, la presente es para notificarle que una petición firmada por dueños de propiedad para renovar y expandir un distrito de mejoras a las propiedades y negocios en su área fue recibida por el Secretario de la Junta de Supervisores el 7 de mayo de 2013. El distrito propuesto se conocerá como el Distrito de Beneficio a la Comunidad de la Parte Superior de la Calle Broadway "Top of Broadway Community Benefit District" (CBD por sus siglas en Inglés).

Si este Distrito de Mejoras a la Propiedad y Negocios es creado, este autorizaría evaluaciones contra bienes inmuebles por 8 años con servicios a implementarse desde el


1 de enero de 2014 hasta el 31 de diciembre de 2021. El Distrito de Beneficio a la Comunidad de la Parte Superior de la Calle Broadway financiará y proveerá los siguientes servicios, actividades y mejoras:

- 1) Identidad de Distrito
- 2) Operación de las Aceras y Embellecimiento
- 3) Administración, Organización y Operaciones Corporativas

La creación del distrito de mejoras a la propiedad y negocio está sujeta a la aprobación de la Junta de Supervisores luego de audiencias públicas anunciadas y una votación hecha por los dueños de las propiedades que estarán sujetas a las evaluaciones. Luego de los comentarios públicos, las boletas presentadas por los dueños de las propiedades localizadas en el propuesto Distrito de Beneficio a la Comunidad de la Parte Superior de la Calle Broadway (CBD por sus siglas en Inglés) serán contadas por el Departamento de Elecciones y los resultados serán anunciados por la Junta de Supervisores. Si la votación electoral no resulta en una mayoría protestando en contra de la renovación y expansión del distrito propuesto, la Junta de Supervisores puede votar para establecer el Distrito de Beneficio a la Comunidad de la Parte Superior de la Calle Broadway (CBD por sus siglas en Inglés)

Para más información sobre esta petición y distrito propuesto, incluyendo el plan de manejo del distrito, el cual describe los límites, las operaciones y actividades del distrito propuesto, verifique el Archivo Legislativo No. 130419 en la Oficina del Secretario de la Junta de Supervisores, Alcaldía, Sala 244, 1 Dr. Carlton B. Goodlett Place, San Francisco. Alternativamente, puede acceder la información en el sitio web de la Junta de Supervisores www.sfbos.org y en el sitio web del Departamento de Elecciones www.sfgov.org/elections.

De acuerdo con la Sección 67.7-1 del Código Administrativo de San Francisco, las personas que no puedan asistir a la audiencia sobre estos asuntos pueden someter sus comentarios por escrito a la Ciudad antes del comienzo de la audiencia. Estos comentarios se harán parte del récord público oficial sobre estos asuntos, y deberán ser traídos a la atención de la Junta de Supervisores. Los comentarios por escrito deben ser dirigidos a Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton Goodlett Place, San Francisco, 94102.


Angela Calvillo
Secretaria de la Junta

FECHADO: 28 de junio de 2013
ENVIADO: 3 de julio de 2013
PUBLICADO: 12 de Julio de 2013

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

公聽會通告

三藩市市及縣市參事委員會

三藩市市及縣政府將舉行公聽會以考慮以下的建議，而相關的公聽會將根據下述的資料舉行，屆時所有有興趣的民眾可出席和發言，特此公告：

日期: 2013 年 7 月 23 日星期二

時間: 下午 3 時

地點: 加州三藩市 Dr. Carlton B. Goodlett Place 1 號
市政廳 250 號室，立法會議廳

主題: 根據加州 1994 年的物業及商業改良區域法例(街道和公路法規 36600 及下列等等)和三藩市市及縣的商業及稅務法規第 15 條召開公聽會，以考慮建立一個以物業為基礎的評估區域，名為百老匯街頂部社區受益區(Top of Broadway Community Benefit District)

根據加州 1994 年的物業及商業改良區域法例(街道和公路法規 36600 及下列等等)和三藩市市及縣的商業及稅務法規第 15 條，現在正式通知你關於市參事委員會書記於 2013 年 5 月 7 日，收到一份經物業擁有者簽署的申請書。申請書的內容是關於在你的地區內組成一個物業及商業改良區域。這個建議中的區域將被稱為百老匯街頂部社區受益區(Top of Broadway Community Benefit District, CBD)。

若這個物業及商業區域成功組成，這將允許進行一個為期 8 年、針對區內土地財產的評估，而相關的服務將由 2014 年 1 月 1 日開始履行，直至 2021 年 12 月 31 日。這個百老匯街頂部社區受益區將會資助和提供以下的服務、活動以及改善：

- 1) 區域特性
- 2) 人行道管理與美化
- 3) 行政管理、組織、以及公司營運

這個物業及商業改良區域的組成，需要經過一系列的程序，當中包括已作出公告的公聽會以及作為評估對象的業主的投票，然後再經由市參事委員會通過。在公眾發言後，由建議中的百老匯街頂部社區受益區(CBD)內的業主所提交的選票，將會由選務處點算，然後由市參事委員會公佈投票結果。若投票選舉結果不反映絕大多數人對組成建議中的區域作出反對，則相關的建立百老匯街頂部社區受益區(CBD)的建議將由市參事委員會進行投票表決。

要進一步取得此申請書和建議區域的資料，包括描述建議區域的範圍、操作和活動的區域管理計劃書，可以於市參事委員會書記辦公室內的立法檔案編號 130419 審閱，地址為：三藩市 Dr. Carlton B. Goodlett Place 1 號市政廳 244 號室。有關的資料亦可透過市參事委員會的網頁 www.sfbos.org 以及選務處的網頁 www.sfgov.org/elections 取得。

根據三藩市行政法規第 67.7-1 條，任何人士如未能出席關於這些問題的聽證會，可以在聽證會召開前向市政府提交書面意見。這些意見將會被包括在相關問題的正式公眾紀錄之內，並且應讓市參事知悉有關的書面意見。請將書面意見郵寄到市參事委員會書記辦公室，地址為：三藩市 Dr. Carlton B. Goodlett Place 1 號市政廳 244 號室，郵區編號 CA 94102。收件人：Angela Calvillo。


for Angela Calvillo
市參事委員會書記

日期：2013 年 6 月 28 日

郵寄：2013 年 7 月 3 日

公佈：2013 年 7 月 12 日

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

PROOF OF MAILING

Legislative File No. Central Market Community Benefit District

Description of Items:

Public Hearing pursuant to the California Property and Business Improvement District Law of 1994 (Streets and Highways Code §§ 36600 et seq.) and City and County of San Francisco Business and Tax Regulations Code Article 15, to consider renewal and expansion of a property-based assessment district to be known as the Central Market Community Benefit District

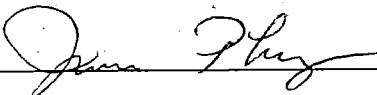
I, JAMES PHUNG, an employee of the City and County of San Francisco, mailed the above described document(s) by depositing the sealed items with the United States Postal Service (USPS) with the postage fully prepaid as follows:

Date: 7/03/13

Time: 6:00 PM

USPS Location: 1300 EVANS AVE SF CA 94188

Mailbox/Mailslot Pick-Up Times (if applicable): _____

Signature: 

Instructions: Upon completion, original must be filed in the above referenced file.

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Alisa Miller
S.F. BD OF SUPERVISORS (OFFICIAL NOTICES)
1 DR CARLTON B GOODLETT PL #244
SAN FRANCISCO, CA 94102

EXM 2508638

COPY OF NOTICE

Notice Type: GPN GOVT PUBLIC NOTICE
Ad Description 07.23.13 - Board COW - Top of Broadway CBD

To the right is a copy of the notice you sent to us for publication in the SAN FRANCISCO EXAMINER. Thank you for using our newspaper. Please read this notice carefully and call us with any corrections. The Proof of Publication will be filed with the County Clerk, if required, and mailed to you after the last date below. Publication date(s) for this notice is (are):

07/12/2013

The charge(s) for this order is as follows. An invoice will be sent after the last date of publication. If you prepaid this order in full, you will not receive an invoice.

Publication	\$479.22
NetTotal	\$431.30

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THE INTER-CITY EXPRESS, OAKLAND	(510) 272-4747

NOTICE OF PUBLIC
HEARING
BOARD OF SUPERVISORS
OF THE CITY AND
COUNTY OF SAN FRAN-
CISCO
TUESDAY, JULY 23, 2013 -
3:00 PM
LEGISLATIVE CHAMBER,
ROOM 250, CITY HALL
1 DR. CARLTON B.
GOODLETT PLACE, SAN
FRANCISCO, CA

NOTICE IS HEREBY GIVEN
THAT the Board of Supervi-
sors of the City and County
of San Francisco, will hold a
public hearing to consider
the following proposal and
said public hearing will be
held as follows, at which time
all interested parties may
attend and be heard. FILE
NO. 130635 - TOP OF

BROADWAY COMMUNITY
BENEFIT DISTRICT: Public
Hearing pursuant to the
California Property and
Business Improvement
District Law of 1994 (Streets
and Highways Code §§
36600 et seq.) and City and
County of San Francisco
Business and Tax Regula-
tions Code Article 15, to
consider establishment of a
property-based assessment
district to be known as the
Top of Broadway Community
Benefit District.

Pursuant to the California
Property and Business
Improvement District Law of
1994 (Streets and Highways
Code §§36600 et seq.) and
City and County of San
Francisco Business and Tax
Regulations Code Article 15,
this is to notify you that a
petition signed by property
owners to form a property
and business improvement
district in your area was
received by the Clerk of the
Board of Supervisors on May
7, 2013. The proposed
district would be known as
the Top of Broadway
Community Benefit District
(CBD).

If this Property and Business
Improvement District is
formed, it would authorize
assessments against real
property in the district for
eight years with services to
be implemented January 1,
2014, through December 31,
2021. The Top of Broadway
Community Benefit District
would fund and provide the
following services, activities
and improvements: 1) District
Identity; 2) Sidewalk
Operations and Beautifica-
tion; and 3) Administration,
Organization, and Corporate
Operations.

Formation of the property
and business improvement
district is subject to the

approval of the Board of
Supervisors after noticed
public hearings and a vote
by the property owners who
would be subject to the
assessments. Following
public comment, ballots
submitted by the property
owners in the proposed Top
of Broadway Community
Benefit District (CBD) will be
counted by the Department
of Elections and the results
will be announced by the
Board of Supervisors. If the
ballot election does not result
in a majority protest against
formation of the proposed
district, the Board of
Supervisors may vote to
establish the Top of
Broadway Community
Benefit District (CBD).

Further information about
this petition and proposed
district, including the district
management plan, which
describes the boundaries,
operations and activities of
the proposed district, may be
reviewed in Legislative File
No. 130419 at the Office of
the Clerk of the Board of
Supervisors, City Hall, Room
244, 1 Dr. Carlton B.
Goodlett Place, San
Francisco. Alternatively,
information may be ac-
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Supervisors web site at
www.sfbos.org and on the
Department of Elections
Website at
www.sfgov.org/elections.

In accordance with Section
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persons who are unable to
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comments to the City prior to
the time the hearing begins.
These comments will be
made a part of the official
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matters, and shall be brought
to the attention of the Board
of Supervisors. Written
comments should be
addressed to Angela Calvillo,
Clerk of the Board, Room
244, City Hall, 1 Dr. Carlton
Goodlett Place, San
Francisco, 94102.
Angela Calvillo, Clerk of the
Board



* A 0 0 0 0 0 3 1 3 3 6 9 5 *

1 [Resolution of Intention - Community Benefit District - Top of Broadway]

2
3 **Resolution declaring the intention of the Board of Supervisors to establish a property-**
4 **based business improvement district (community benefit district) to be known as the**
5 **"Top of Broadway Community Benefit District" and levy a multi-year assessment on**
6 **identified parcels in the district; approving the Management District Plan, Engineer's**
7 **Report, and proposed boundaries map for the district; ordering and setting a time and**
8 **place for a public hearing thereon; approving the form of the Notice of Public Hearing**
9 **and Assessment Ballots; directing environmental findings; and directing the Clerk of**
10 **the Board of Supervisors to give notice of the public hearing and balloting as required**
11 **by law.**

12
13 WHEREAS, The Property and Business Improvement District Law of 1994 (California
14 Streets and Highways Code Sections 36600 *et seq.*, "1994 Act" or the "Act"), authorizes cities
15 to establish property and business improvement districts within business districts to promote
16 the economic revitalization and physical maintenance of such business districts; and

17 WHEREAS, Section 36603 of the 1994 Act recognizes the authority of Charter cities to
18 adopt ordinances providing for different methods of levying assessments for similar or
19 additional purposes from those set forth in the 1994 Act; and

20 WHEREAS, Article 15 of the San Francisco Business and Tax Regulation Code
21 ("Article 15") augments certain procedural and substantive requirements relating to the
22 formation of property and business improvement districts and the assessments on real
23 property or businesses within such districts; and

24 WHEREAS, The 1994 Act and Article 15 authorize the City to levy and collect
25 assessments on real property within such districts for the purpose of providing improvements.

1 and promoting activities and property-related services that specially benefit identified parcels
2 of real property located within such districts; and

3 WHEREAS, Article XIID of the California Constitution and Section 53753 of the
4 California Government Code impose certain procedural and substantive requirements relating
5 to assessments on real property; and

6 WHEREAS, The 1994 Act and Article 15 impose additional procedural and substantive
7 requirements relating to assessments on real property within a proposed property and
8 business improvement district, also known as a community benefit district ("CBD"); and

9 WHEREAS, The Board of Supervisors finds that the property-related services, activities
10 and improvements to be funded with assessments on real property within the proposed district
11 will confer substantial special benefit on the assessed properties over and above the general
12 benefit to the public at large from such services, activities and improvements; and

13 WHEREAS, The property owners who will pay 30 percent or more of the total amount
14 of assessments on properties within the proposed district signed and submitted to the Clerk of
15 the Board of Supervisors a petition (the "Petition") requesting that the Board of Supervisors
16 establish a property-based community benefit district to be named the "Top of Broadway
17 Community Benefit District," and to levy assessments on properties located in the proposed
18 district to fund property-related services, activities and improvements within the district; and

19 WHEREAS, A Management District Plan entitled the "Top of Broadway Community
20 Benefit District Management District Plan" containing information about the proposed district
21 and assessments required by Section 36622 of the 1994 Act, including but not limited to maps
22 showing all identified parcels located in the district, a description of the boundaries of the
23 district, the name of the district, the amount of the proposed assessment for each identified
24 parcel, the total annual amount chargeable to the entire district, the duration of the payments,
25 the property-related services, activities and improvements to be funded by the assessments

1 for each year and the maximum cost thereof, the method and basis upon which the
2 assessments are calculated in sufficient detail to allow each property owner to calculate the
3 amount of the assessment to be levied against his or her property, a statement that no bonds
4 will be issued, the time and manner of collecting the assessments, and a list of the properties
5 to be assessed (including assessor parcel numbers), is on file with the Clerk of the Board of
6 Supervisors in File No. 130419, which is hereby declared to be a part of this resolution as if
7 set forth fully herein; and

8 WHEREAS, A detailed engineer's report supporting the assessments within the
9 proposed district, prepared by Edward V. Henning, California Registered Professional
10 Engineer No. 26549, titled "Top of Broadway Community Benefit District, District Assessment
11 Engineer's Report," is on file with the Clerk of the Board of Supervisors in File No. 130419,
12 which is hereby declared to be a part of this resolution as if set forth fully herein; and

13 WHEREAS, A Proposed Boundaries Map, submitted pursuant to California Streets and
14 Highways Code §3110, is on file with the Clerk of the Board of Supervisors in File No.
15 130419, which is hereby declared to be a part of this resolution as if set forth fully herein; now,
16 therefore, be it

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

18 Section 1. Pursuant to Section 36621(a) of the 1994 Act and Article 15, the Board of
19 Supervisors declares its intention to form a property and business improvement district to be
20 designated as the "Top of Broadway Community Benefit District" (the "District") for a period of
21 eight and one half (8 1/2) years, and to levy and collect assessments against all identified
22 parcels of real property in the District for a period of eight (8) years, commencing with fiscal
23 year 2013-2014, subject to approval by a majority of the property owners in the District who
24 cast assessment ballots, which ballots shall be weighted according to the proportional
25 financial obligations of the affected properties. No bonds will be issued. District operations

1 will commence on or about January 1, 2014, following collection of the assessments for fiscal
2 year 2013-2014 and disbursement of the assessment proceeds to the nonprofit owners'
3 association that will administer the property-related services, activities and improvements in
4 the District pursuant to Section 36651 of the 1994 Act and a written agreement with the City.

5 Section 2. The Board of Supervisors hereby approves the Management District Plan
6 and District Assessment Engineer's Report, including the estimates of the costs of the
7 property-related services, activities and improvements set forth in the plan, and the
8 assessment of said costs on the properties that will specially benefit from such services,
9 activities and improvements. The Clerk of the Board shall make the Management District
10 Plan, District Assessment Engineer's Report and other documents related to the District and
11 included in the record before the Board of Supervisors available to the public for review during
12 normal business hours, Monday through Friday, 8:00 a.m. through 5:00 p.m., excluding legal
13 holidays.

14 Section 3. The Board of Supervisors hereby approves the Proposed Boundaries Map
15 showing the exterior boundaries of the District. The proposed District contains approximately
16 39 identified parcels, located on approximately six whole or partial blocks near the intersection
17 of Columbus Avenue and Broadway Street and the intersection of Montgomery Street and
18 Broadway Street. The District is generally located at: (1) Columbus Avenue from the
19 intersection of Grant Avenue and Fresno Street running along the east side only of Columbus
20 Avenue down to Pacific Avenue; (2) Kearny Street on both sides of the street from Broadway
21 Street to Pacific Avenue; and (3) Broadway Street, from the northeastern corner of the
22 intersection of Columbus Avenue and Broadway Street running eastward on the north side of
23 the street up to west side of Montgomery Street and then from the southeastern corner of the
24 intersection of Columbus Avenue and Broadway Street on the south side running eastward on
25 the south side up to Montgomery Street, but also including the property at the southeastern

1 corner of the intersection of Montgomery Street and Broadway Street.

2 Reference should be made to the detailed maps and the lists of parcels identified by
3 Assessor Parcel Number that are contained in the Management District Plan, in order to
4 determine which specific parcels are included in the Top of Broadway Community Benefit
5 District.

6 Section 4. A public hearing on the establishment of the District, and the levy and
7 collection of assessments starting with fiscal year 2013-2014 and continuing through fiscal
8 year 2020-2021, shall be conducted before the Board of Supervisors, sitting as a Committee
9 of the Whole, on July 23, 2013, at 3:00 p.m., or as soon thereafter as the matter may be heard
10 in the Board's Legislative Chambers, Second Floor, City Hall, 1 Dr. Carlton B. Goodlett Place,
11 San Francisco, California, 94102. At this public hearing, the Board of Supervisors will hear
12 public testimony regarding the proposed formation of the District, assessments, boundaries of
13 the District, including testimony from all interested persons for or against establishment of the
14 District, the extent of the District, the levy of the assessments, the furnishing of specific types
15 of property-related services, improvements and activities, and other matters related to the
16 District. The Board of Supervisors may waive any irregularity in the form or content of any
17 written protest, and at the public hearing may correct minor defects in the proceedings. All
18 protests submitted by affected property owners and received prior to the conclusion of the
19 public testimony portion of the public hearing shall be tabulated to determine whether a
20 majority protest exists.

21 Section 5. The Board of Supervisors hereby approves the form of the Notice of Public
22 Hearing and Assessment Ballot which are on file with the Clerk of the Board of Supervisors in
23 File No. 130419; which are declared to be a part of this resolution as if set forth fully herein.

24 Section 6. The proposed property-related services, improvements or activities for the
25 District include District Identity, Sidewalk Operations, Beautification and Order, and

1 Administration, Organization, and Corporate Operations:

2 **District Identity:** District Identity includes, but is not limited to, use of a public relations
3 firm to promote the business and activities in the District, development of a website, having
4 special events for the District, preparation of signage, historical markers, banners and
5 decorations, and other programs or activities to be determined by the nonprofit owners'
6 association that will administer the property-related services, activities, and improvements for
7 the District.

8 **Sidewalk Operations, Beautification and Order:** Sidewalk Operations,
9 Beautification and Order includes, but is not limited to, cleaning sidewalks and gutters, graffiti
10 removal, trimming trees, periodic steam cleaning, and cleaning tree wells.

11 **Administration, Organization, and Corporate Operations:** Administration,
12 Organization, and Corporate Operations includes, but is not limited to, staffing to oversee and
13 support the property-related services, activities and improvements for the District, acquiring
14 office-related services and supplies, such as accounting, legal services and office supplies,
15 acquiring insurance for the District, managing contractual relations with the City and others,
16 financial reporting, and advocacy for the District.

17 Section 7. Within the area encompassed by the proposed District, the City currently
18 provides services at the same level provided to other similar areas of the City. It is the intent
19 of the Board of Supervisors to continue to provide the area encompassed by the District with
20 the same level of services provided to these other similar areas of the City. The
21 establishment of the District will not affect the City's policy to continue to provide the same
22 level of service to the areas encompassed by the District as it provides to other similar areas
23 of the City during the duration of the District.

24 Section 8. The annual total assessments proposed to be levied and collected for the
25 first year of the District (fiscal year 2013-2014) is estimated to be \$105,502. The amount of

1 the total annual assessments to be levied and collected for years two through eight (fiscal
2 years 2014-2015 through 2020-2021) may be increased from one year to the next by a
3 percentage that does not exceed either the change in the Consumer Price Index for All Urban
4 Consumers in the San Francisco-Oakland-San Jose Consolidated Metropolitan Statistical
5 Area, or three percent (3%), whichever is less.

6 Section 9. Environmental Findings. Following the approval of this Resolution, the
7 Planning Department shall determine whether the actions contemplated in this Resolution are
8 in compliance with the California Environmental Quality Act (California Public Resources
9 Code Sections 21000 *et seq.*), and respond in writing to the Clerk of the Board of Supervisors.

10 Section 10. The Clerk of the Board is directed to give notice of the public hearing as
11 provided in California Streets and Highways Code Section 36623, California Government
12 Code Section 53753, California Constitution Article XIID Section 4, San Francisco Charter
13 Section 16.112, and San Francisco Administrative Code Section 67.7-1.
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City and County of San Francisco

Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130419

Date Passed: June 04, 2013

Resolution declaring the intention of the Board of Supervisors to establish a property-based business improvement district (community benefit district) to be known as the "Top of Broadway Community Benefit District" and levy a multi-year assessment on identified parcels in the district; approving the Management District Plan, Engineer's Report, and proposed boundaries map for the district; ordering and setting a time and place for a public hearing thereon; approving the form of the Notice of Public Hearing and Assessment Ballots; directing environmental findings; and directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law.

May 23, 2013 Government Audit and Oversight Committee - RECOMMENDED

June 04, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130419

I hereby certify that the foregoing
Resolution was ADOPTED on 6/4/2013 by
the Board of Supervisors of the City and
County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

Date Approved

July 13, 2013

Ms. Angela Calvillo,
Clerk of the Board of Supervisors
Room 244
City Hall
1 Dr. Carlton Goodlett Place
San Francisco
CA 94102

130635
RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2013 JUL 18 PM 2:51

This is Naoki Ono. I'm the owner of Sushi Taka which is the Japanese sushi roll restaurant located at 600 Kearny Street in San Francisco.

I fully understand that it's very important to attend the public hearing I am required to participate in. However, I am afraid that I won't be able to attend the public hearing because of the time conflict against the business meeting with Mr. Jun Matsumoto I scheduled before I received the notice of public hearing. In fact, I regret to say that Mr. Matsumoto visiting from Japan won't be available to reschedule the meeting with me while he stays in San Francisco due to his full schedules.

I really appreciate if you'd understand this situation.

Should you have any questions, please feel free to contact me.
The details of my contact info are as follows:

Naoki Ono
President, Sushi Taka LLC
112 Green Avenue
South San Francisco
CA 94080
nickono@sushitaka.us.com
415-676-7460

