

1 [Resolution of Intention to form the 2500 Block of Mission Street Business Improvement
2 District (BID).]

3 **Resolution declaring the intention of the Board of Supervisors to establish a property-**
4 **based business improvement district to be known as the “2500 Block of Mission Street**
5 **Business Improvement District (BID),” to order the levy and collection of a multi-year**
6 **assessment, and setting a time and place for a public hearing thereon.**

7
8 WHEREAS, The Property and Business Improvement District Law of 1994, Part 7 of
9 Division 18 of the California Streets and Highways Code, commencing with Section 36600,
10 (the "Law") authorizes cities to establish property and business improvement districts within
11 business districts to promote the economic revitalization and physical maintenance of such
12 business districts; and

13 WHEREAS, The Law authorizes cities to levy and collect assessments on real property
14 within such districts for the purpose of providing improvements and promoting activities that
15 specially benefit real property located within such districts; and

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

19 WHEREAS, The Law imposes additional procedural and substantive requirements
20 relating to assessments on real property within a proposed property and business improvement
21 district; and

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

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2 WHEREAS, The property owners who will pay more than 50 percent of the total
3 amount of assessments on properties within the proposed district signed and submitted to the
4 Clerk of the Board of Supervisors a petition (the "Petition") requesting that the Board of
5 Supervisors establish a property-based business improvement district to be named the "2500
6 Block of Mission Street Business Improvement District (BID)," and to levy assessments on
7 properties located in the proposed district to fund property-related services, activities and
8 improvements within the district; and

9 WHEREAS, A Management District Plan entitled the "2500 Block of Mission Street
10 Business Improvement District Management Plan" containing information about the proposed
11 district and assessments required by Section 36622 of the Law, including but not limited to a
12 map showing all identified parcels located in the district, a description of the boundaries of the
13 district, the name of the district, the amount of the proposed assessment for each identified
14 parcel, the total annual amount chargeable to the entire district, the duration of the payments,
15 the property-related services, activities and improvements to be funded by the assessments
16 for each year and the maximum cost thereof, the method and basis upon which the
17 assessments are calculated in sufficient detail to allow each property owner to calculate the
18 amount of the assessment to be levied against his or her property, a statement that no bonds
19 will be issued, the time and manner of collecting the assessments, and a list of the properties
20 to be assessed (including assessor parcel numbers), has been submitted to the Clerk of the
21 Board of Supervisors;

22 WHEREAS, A detailed engineer's report ("District Assessment Engineer's Report")
23 supporting the assessments within the proposed district is incorporated within the
24 Management District Plan submitted to the Clerk of the Board of Supervisors; now, therefore,
25 be it

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

2 Section 1. Pursuant to Sections 36621(a) of the Law, the Board of Supervisors
3 declares its intention to form the property and business improvement district to be designated
4 as the "2500 Block of Mission Street Business Improvement District (BID)" ("the District"), and
5 to levy and collect assessments against all parcels of real property in the District for five
6 years, commencing with fiscal year 2005-2006, beginning July 1, 2006 and ending December
7 June 30, 2010, for the costs and incidental expenses of establishing and maintaining the
8 District that have been determined to specially benefit the assessed properties, subject to
9 approval by a majority of the property owners in the District whose ballots shall be weighted
10 according to the proportional financial obligations of their affected properties.

11 Section 2. The Board of Supervisors hereby approves the Management District Plan
12 and District Assessment Engineer's Report included therein, including the estimates of the
13 costs of the property-related services, activities and improvements set forth therein, the
14 assessment of said costs on the properties that specially benefit from such services, activities
15 and improvements, and supporting "2500 Block of Mission Street assessment Engineer's
16 Report" contained therein. A copy of the Management District Plan is on file with the Clerk of
17 the Board of Supervisors in File No. 050876. The Clerk of the Board shall make the
18 Management District Plan and other documents related to the District available to the public
19 for review during normal business hours, Monday through Friday 8:00 a.m. through 5:00 p.m.,
20 excluding legal holidays.

21 Section 3. The exterior boundaries of the District are as set forth in the map entitled
22 "Boundaries and participating properties in the 2500 Block fo Mision Street BID," contained in
23 the Management District Plan on file with the Clerk of the Board of Supervisors in File No.
24 050876, and incorporated herein by reference. The District contains 20 parcels, seven of
25 which are located on the west side of Mission Street between 21st Street and 22nd Street and

1 thirteen of which are on the east side of Mission Street between 21st Street and 22nd Street.
2 Reference should be made to the detailed map and the list of parcels identified by Assessor
3 Parcel Number contained in the Management District Plan in order to determine which
4 specific parcels are included in the District.

5 Section 4. A public hearing on the establishment of the District, and the levy and
6 collection of assessments starting with fiscal year 2005-2006 and continuing through fiscal
7 year 2009-2010 shall be conducted before the Board of Supervisors on July 26, 2005 at 3:00
8 p.m., or as soon thereafter as the matter may be heard, in the Board's Legislative Chambers,
9 Second Floor, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, California, 94102. At
10 this public hearing, the Board of Supervisors will hear public testimony regarding the proposed
11 formation of the district, assessments, boundaries of the district, including testimony from all
12 interested persons for or against establishment of the District, the extent of the District, and
13 the furnishing of specific types of property-related services, improvements or activities. The
14 Board of Supervisors may waive any irregularity in the form or content of any written protest,
15 and at the public hearing may correct minor defects in the proceedings. All protests submitted
16 by affected property owners and received prior to the conclusion of the public testimony
17 portion of the public hearing shall be tabulated to determine whether a majority protest exists.

18 Section 5. The Board of Supervisors hereby approves the form of the Notice of
19 Public Hearing and Assessment Ballot which are on file with the Clerk of the Board of
20 Supervisors in File No. 050876.

21 Section 6. The proposed property-related services, improvements or activities for
22 the District include, three hours per day Monday through Saturday, a beautification, cleaning
23 and maintenance component, consisting of litter and general cleaning, graffiti abatement,
24 removal of posters and other foreign attachments, sidewalk weed removal and street tree
25 maintenance, power washing of sidewalks (every three months); a public safety component,

1 consisting of uniformed community ambassadors with cell phones to support police and
2 property owners in crime prevention and provide street population with social services
3 information; and a community relations component, consisting of uniformed community
4 ambassadors to assist visitors with area information and serve as liaisons to city agencies;
5 and similar services, activities and improvements which benefit businesses and real property
6 located in the District.

7 Section 7. Within the area encompassed by the proposed District, the City currently
8 provides services at the same level provided to other similar areas of the City. It is the intent
9 of the Board of Supervisors to continue to provide the area encompassed by the District with
10 the same level of services provided to these other similar areas of the City. The
11 establishment of the District will not affect the City's policy to continue to provide the same
12 level of service to the areas encompassed by the District as it provides to other similar areas
13 of the City during the duration of the District.

14 Section 8. The assessment proposed to be levied and collected for fiscal year 2005-
15 2006 is \$75,000. The amount to be levied and collected for subsequent years up through
16 fiscal year 2009-2010 may be increased annually by the Board of Directors of the District by
17 an amount not to exceed the change in the Consumer Price Index for All Urban Consumers in
18 the San Francisco-Oakland-San Jose Consolidated Metropolitan Statistical Area, not to
19 exceed 3 percent.

20 Section 9. The Clerk of the Board is directed to give notice of the public hearing as
21 provided in Section 53753 of the Government Code, Section 4 of Article XIID of the California
22 Constitution, Section 16.112 of the San Francisco Charter and Section 67.7-1 of the San
23 Francisco Administrative Code.