[Intention to renew the 2500 Block of Mission Street Business Improvement District - Mission Miracle Mile Business Improvement District]

Resolution declaring the intention of the Board of Supervisors to renew the property-based 2500 Block of Mission Street business improvement district, to be known as the "Mission Miracle Mile Business Improvement District" and to levy a multi-year assessment on identified parcels in the district; approving the management district plan and 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; and directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law.

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

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

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

WHEREAS, The Law and Article 15 authorize the City to levy and collect assessments
on real property within such districts for the purpose of providing improvements and promoting
activities and property-related services that specially benefit identified parcels of real property
located within such districts; and

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

WHEREAS, The Law and Article 15 impose additional procedural and substantive
requirements relating to assessments on real property within a proposed property and
business improvement district; and

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

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

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

WHEREAS, A detailed engineer's report supporting the assessments within the proposed district, prepared by K. Dennis Klingelhofer, California Registered Professional Engineer No. C50255, NBS, dated July 16, 2010 entitled "Mission Miracle Mile Business Improvement District, Engineer's Report" has been submitted to the Clerk of the Board of Supervisors; and

WHEREAS, A Proposed Boundaries Map has been submitted to the Clerk of the Board of Supervisors pursuant to California Streets and Highways Code §3110;

Now, therefore, be it

RESOLVED, That the Board of Supervisors declares as follows:

Section 1. Pursuant to Section 36621(a) of the Law and Article 15, the Board of Supervisors declares its intention to renew the 2500 Block of Mission Street property and business improvement district, to be designated as the "Mission Miracle Mile Business Improvement District" (the "District"), for a period of five (5) years and six months, and to levy and collect assessments against all identified parcels of real property in the District for a period of five (5) years, commencing with fiscal year 2010-2011 subject to approval by a majority of the property owners in the District who cast assessment ballots, which ballots shall
be weighted according to the proportional financial obligations of the affected properties. No bonds will be issued. Mission Miracle Mile BID operations for the renewed BID will commence on or about January 1, 2011, following collection of the assessments for fiscal year 2010-2011 and disbursement of the assessment proceeds to the nonprofit owners' association that will administer the property-related services, activities and improvements in the District pursuant to Section 36651 of the Law and a written agreement with the City.

Section 2. The Board of Supervisors hereby approves the Management District Plan and District Assessment Engineer's Report, including the estimates of the costs of the property-related services, activities and improvements set forth in the plan, and the assessment of said costs on the properties that will specially benefit from such services, activities and improvements. A copy of the Management District Plan and the District Assessment Engineer's Report are on file with the Clerk of the Board of Supervisors in File No. 100967. The Clerk of the Board shall make the Management District Plan, District Assessment Engineer's Report and other documents related to the District and included in the record before the Board of Supervisors available to the public for review during normal business hours, Monday through Friday 8:00 a.m. through 5:00 p.m., excluding legal holidays.

Section 3. The Board of Supervisors hereby approves the Proposed Boundaries Map showing the exterior boundaries of the District, which is on file with the Clerk of the Board of Supervisors in File No. 100967 and incorporated herein by reference. The Mission Miracle Mile BID area consists of the 2500 Block of Mission Street, both sides of the street, as bounded by 21st Street and 22nd Street. There are approximately 20 identified parcels within the exterior boundaries. The exterior boundaries of the District include all parcels on both sides of the street, including the linear street footage of the two corner parcels that each extend around the corner on 21st Street, and the linear street footage of the two corner parcels that each extend around the corner on 22nd Street.
Reference should be made to the detailed maps and the lists of parcels identified by Assessor Parcel Number that are contained in the Management District Plan, in order to determine which specific parcels are included in the Mission Miracle Mile Business Improvement District.

Section 4. A public hearing on the establishment of the District, and the levy and collection of assessments starting with fiscal year 2010-2011 and continuing through fiscal year 2014-2015, shall be conducted before the Board of Supervisors on October 5, 2010 at 3:00 p.m., or as soon thereafter as the matter may be heard, in the Board's Legislative Chambers, Second Floor, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, California, 94102. At this public hearing, the Board of Supervisors will hear public testimony regarding the renewal of the District, assessments, boundaries of the District, including testimony from all interested persons for or against establishment of the District, the extent of the District, the levy of the assessments, the furnishing of specific types of property-related services, improvements and activities, and other matters related to the District. The Board of Supervisors may waive any irregularity in the form or content of any written protest, and at the public hearing may correct minor defects in the proceedings. All protests submitted by affected property owners and received prior to the conclusion of the public testimony portion of the public hearing shall be tabulated to determine whether a majority protest exists.

Section 5. The Board of Supervisors hereby approves the form of the Notice of Public Hearing and Assessment Ballot which are on file with the Clerk of the Board of Supervisors in File No. 100967.

Section 6. The proposed property-related services, improvements or activities for the District include:

- **Beautification, Cleaning and Maintenance:** Litter and general cleaning of sidewalks, gutters, doorways, and public right of way; graffiti abatement; removal of
posters, foreign attachments and bulky items; sidewalk weed removal and tree and plant maintenance; steam cleaning/power washing of all sidewalks every week and as needed. Beautification, cleaning and maintenance services will be provided three hours per day.

- **Public Safety:** Community Ambassadors with cell phones to support police and property owners in crime prevention and provide street population with social services information, three hours per day. Seven surveillance camera operating 24/7 to record street activities.

- **Greening:** Twenty hanging floral baskets with new flowers every six months, cared for daily.

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

Section 8. The annual assessment proposed to be levied and collected for the first year of the renewed District (fiscal year 2010-2011) is estimated to be $85,002. The amount of the annual assessment to be levied and collected for years two through ten (fiscal years 2011-2012 through 2014-2015 may be increased from one year to the next by a percentage that does not exceed either the change in the Consumer Price Index for All Urban Consumers in the San Francisco-Oakland-San Jose Consolidated Metropolitan Statistical Area, or three percent (3%), whichever is less.

Section 9. The Clerk of the Board is directed to give notice of the public hearing as
provided in California Streets and Highways Code Section 36623, California Government Code Section 53753, California Constitution Article XIID Section 4, San Francisco Charter Section 16.112, and San Francisco Administrative Code Section 67.7-1.
Resolution declaring the intention of the Board of Supervisors to renew the property-based 2500 Block of Mission Street business improvement district, to be known as the "Mission Miracle Mile Business Improvement District" and to levy a multi-year assessment on identified parcels in the district; approving the management district plan and 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; and directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law.

August 03, 2010 Board of Supervisors - ADOPTED
Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

I hereby certify that the foregoing Resolution was ADOPTED on 8/3/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor Gavin Newsom
Date Approved