

BOARD of SUPERVISORS



City Hall  
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## MEMORANDUM

TO: Kate Sofis, Director, Office of Economic and Workforce Development

FROM: Alisa Somera, Assistant Clerk, Government Audit and Oversight Committee, Board of Supervisors

DATE: July 29, 2022

SUBJECT: LEGISLATION INTRODUCED

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The Board of Supervisors' Government Audit and Oversight Committee has received the following proposed legislation, introduced by Supervisor Rafael Mandelman on July 26, 2022:

**File No. 220891**

**Resolution receiving and approving an annual report for the Noe Valley Community Benefit District for Fiscal Year (FY) 2020-2021, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600, et seq.), Section 36650, and the District's management agreement with the City, Section 3.4.**

If you have any additional comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: [Alisa.Somera@sfgov.org](mailto:Alisa.Somera@sfgov.org).

cc: Anne Taupier, Office of Economic and Workforce Development  
Lisa Pagan, Office of Economic and Workforce Development

1 [Noe Valley Community Benefit District - Annual Report - FY2020-2021]

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3 **Resolution receiving and approving an annual report for the Noe Valley Community**  
4 **Benefit District for Fiscal Year (FY) 2020-2021, submitted as required by the Property**  
5 **and Business Improvement District Law of 1994 (California Streets and Highways**  
6 **Code, Sections 36600, et seq.), Section 36650, and the District's management**  
7 **agreement with the City, Section 3.4.**

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9 WHEREAS, On June 7, 2005, pursuant to the Property and Business Improvement  
10 District Law of 1994 (the "Act"), California Streets and Highways Code, Sections 36600 *et*  
11 *seq.*, as augmented by Article 15 of the San Francisco Business and Tax Regulations Code,  
12 the Board of Supervisors adopted Resolution No. 420-05, expressing the City's intention to  
13 establish the Noe Valley Community Benefit District (the "Noe Valley CBD"); and

14 WHEREAS, On August 2, 2005, the Board of Supervisors adopted Resolution  
15 No. 583-05 establishing the Noe Valley CBD ("Resolution to Establish") for a period of 15  
16 years, commencing Fiscal Year (FY) 2005-2006; and

17 WHEREAS, On January 10, 2006, the Board of Supervisors adopted Resolution  
18 No. 13-06, authorizing an agreement with the owners' association for the  
19 administration/management of the Noe Valley CBD, and a management agreement (the  
20 "Management Contract") with the owners' association, the Noe Valley Association, A  
21 Community Benefit District, was executed accordingly; and

22 WHEREAS, A copy of the Management Contract is on file with the Clerk of the Board  
23 of Supervisors in File No. 051967; and

24 WHEREAS, On November 19, 2019, pursuant to the Property and Business  
25 Improvement District Law of 1994 (the "Act"), California Streets and Highways Code Sections

1 36600 *et seq.*, as augmented by Article 15 of the San Francisco Business and Tax  
2 Regulations Code, the Board of Supervisors adopted Resolution No. 496-19, expressing the  
3 City’s intention to renew the Noe Valley Community Benefit District (the “Noe Valley CBD”);  
4 and

5 WHEREAS, On January 8, 2020, the Board of Supervisors adopted Resolution  
6 No. 053-20 to establish (renew) the Noe Valley CBD ("Resolution to Establish") for a period of  
7 15 years, commencing FY2020-2021; and

8 WHEREAS, On December 1, 2020, the Board of Supervisors adopted Resolution  
9 No. 549-20, authorizing an agreement with the owners' association for the  
10 administration/management of the Noe Valley CBD, and a management agreement (the  
11 “Management Contract”) with the owners' association, the Noe Valley Association, A  
12 Community Benefit District, was executed accordingly; and

13 WHEREAS, On January 25, 2022, the Board of Supervisors approved the Noe Valley  
14 CBD’s annual reports for Fiscal Year 2019-2020 in Resolution No.022-22; and

15 WHEREAS, The Noe Valley CBD has submitted for the Board’s receipt and approval  
16 the annual report for Fiscal Year 2020-2021 as required by Section 36650 of the Act and  
17 Section 3.4 of the Management Contract; and

18 WHEREAS, The annual report for Fiscal Year 2020-2021 is on file with the Clerk of the  
19 Board of Supervisors in File No. 220891, and is incorporated herein by reference as though  
20 fully set forth; and

21 WHEREAS, Supporting documents, including, but not limited to, a transmittal letter and  
22 memorandum report from the City's Office of Economic and Workforce Development, dated  
23 July 21, 2022, and documentation from the Noe Valley CBD for the Fiscal Year 2020-2021  
24 annual report are on file with the Clerk of the Board of Supervisors in File No. 220891; now,  
25 therefore, be it

1           RESOLVED, That the Board of Supervisors hereby receives and approves the annual  
2 report for the Noe Valley Community Benefit District for Fiscal Year 2020-2021.

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# Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp  
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor  inquiries"
- 5. City Attorney Request.
- 6. Call File No.  from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.**

Sponsor(s):

Subject:

The text is listed:

Signature of Sponsoring Supervisor:

For Clerk's Use Only