

1 [Assessment Ballots for City Parcels - Renew and Expand the Central Market Community  
2 Benefit District]

3 **Resolution authorizing the Mayor to cast ballots in the affirmative on behalf of the City**  
4 **and County of San Francisco as owner of five parcels of real property over which the**  
5 **Board of Supervisors has jurisdiction, where those parcels would be subject to**  
6 **assessment in the proposed renewed and expanded property and business**  
7 **improvement district known as the Central Market Community Benefit District.**

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9 WHEREAS, Pursuant to the Property and Business Improvement Law of 1994,  
10 California Streets and Highways Code Sections 36600 *et seq.* (the "Act"), as augmented by  
11 Article 15 of the San Francisco Business and Tax Regulations Code ("Article 15"), the Board  
12 of Supervisors adopted Resolution No. 167-13 on June 4, 2013, entitled "Resolution declaring  
13 the intention of the Board of Supervisors to renew and expand a property-based business  
14 improvement district known as the Central Market Community Benefit District (CBD), to order  
15 the levy and collection of a multi-year assessment, and setting a time and place for a public  
16 hearing thereon" ("Resolution of Intention," BOS File No. 130470); and,

17 WHEREAS, The Resolution of Intention for the Central Market Community Benefit  
18 District ("Central Market CBD" or "District"), among other things, approved the Central Market  
19 Community Benefit District Management District Plan (the "Management District Plan"), the  
20 District Assessment Engineer's Report, and the form of the Assessment Ballots and the  
21 Notice of Public Hearing, that are all on file with Clerk of the Board of Supervisors in File No.  
22 130470; and,

23 WHEREAS, Article XIID, Section 4 of the California Constitution provides that parcels  
24 within an assessment district that are owned or used by any government agency, the State of  
25 California or the United States shall not be exempt from assessment unless the agency can

1 demonstrate by clear and convincing evidence that those publicly owned parcels in fact  
 2 receive no special benefit; and,

3 WHEREAS, The Board of Supervisors has jurisdiction over five (5) parcels of real  
 4 property within the proposed assessment district that are owned by the City and County of  
 5 San Francisco, the details of which are set forth in a chart below; and,

6 WHEREAS, The City-owned parcels over which the Board of Supervisors has  
 7 jurisdiction are listed in the following chart, showing the street address, Assessor's lot and  
 8 block number, name/description of building/use, and proposed first year assessment amount  
 9 for each, and the percent of the total proposed assessments for the District that each parcel  
 10 would be assessed (which is the corresponding weight to be afforded the City's signature on  
 11 the ballot to renew and expand the Central Market CBD):

<b>City and County of San Francisco (CCSF)-Owned Parcels</b>					
<b>APN</b>	<b>Ownership - Jurisdiction</b>	<b>Situs</b>	<b>Use</b>	<b>First Year (\$) Assessment</b>	<b>% of Total Assessments</b>
3508 -053	CCSF - Mayor's Office of Housing	1390 Mission St.	Affordable Housing	\$ 9,417.67	0.80%
3704 -011	CCSF - Office of Real Estate	88 5th St.	Old Mint, leased to San Francisco Museum and Historical Society	\$ 14,694.35	1.24%
3731 -010	CCSF - Recreation and Park Department	270 Sixth Street	Gene Friend Rec Center	\$ 1,261.89	0.11%
3731 -011	CCSF - Recreation and Park Department	286V - 298 Sixth St.	Gene Friend Rec Center	\$ 1,240.08	0.11%
3731 -111	CCSF - Recreation and Park Department	248 - 270 Sixth St.	Gene Friend Rec Center	\$ 3,112.44	0.26%
<b>Total Annual Assessments of CCSF-Owned Parcels</b>				\$29,726.43	

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 24 WHEREAS, The Board of Supervisors will hold a public hearing on July 23, 2013, to  
 25 consider public testimony on the proposed renewal and expansion of the Central Market

1 Community Benefit District, the levy of multi-year assessments on real property located in the  
2 proposed district, and assessment ballot proceedings for affected property owners to approve  
3 or disapprove the assessments; and,

4 WHEREAS, The affected property owners or their authorized representatives may  
5 submit, withdraw or change assessment ballots for their respective properties prior to the  
6 close of public testimony at the public hearing; and,

7 WHEREAS, the Board of Supervisors may cast the assessment ballots for those  
8 parcels over which it has jurisdiction, to either approve or disapprove the proposed  
9 assessments for those parcels that would be subject to assessment, or the Board may  
10 authorize a representative to submit the assessment ballots for parcels over which the Board  
11 has jurisdiction; and,

12 WHEREAS, At the July 23, 2013 public hearing the Board is likely to receive public  
13 testimony both in favor of and against the levying of assessments, and the Department of  
14 Elections will tabulate the assessment ballots submitted by the owners of affected properties  
15 to determine if there is a majority protest; and,

16 WHEREAS, It is appropriate for the Board of Supervisors to authorize a representative  
17 to submit assessment ballots for the City-owned parcels within the proposed district over  
18 which the Board has jurisdiction, to avoid confusion on the Board's dual role as both the  
19 legislative body that may form the district and levy assessments if there is no majority protest  
20 by the affected property owners, and as the decision-making body for the City as the owner of  
21 property subject to assessments; now, therefore, be it

22 RESOLVED, That the Mayor is hereby authorized to submit any and all assessment  
23 ballots in the affirmative for the above-listed parcels of real property owned by the City and  
24 County of San Francisco over which the Board has jurisdiction that would be subject to  
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1 assessment in the renewed and expanded property and business improvement district known  
2 as the Central Market Community Benefit District; and, be it

3 FURTHER RESOLVED, That the Clerk of the Board of Supervisors shall cause copies  
4 of this Resolution to be delivered to the Office of Economic and Workforce Development, the  
5 Director of Elections, and the Central Market Community Benefit District owners association,  
6 and placed in the Board of Supervisors file for the Resolution of formation to establish the  
7 proposed renewed and expanded district.

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