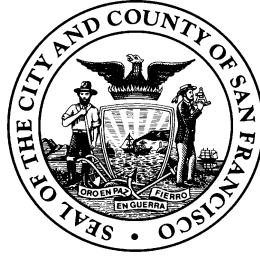


BOARD of SUPERVISORS



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. 554-5227

MEMORANDUM

GOVERNMENT AUDIT AND OVERSIGHT COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Gordon Mar, Chair
Government Audit and Oversight Committee

FROM: John Carroll, Assistant Clerk

DATE: June 21, 2019

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**
Tuesday, June 25, 2019

The following file should be presented as a COMMITTEE REPORT at the regular Board meeting, Tuesday, June 25, 2019. This resolution was acted upon at the regular Government Audit and Oversight Committee meeting on Thursday, June 20, 2019, at 10:00 a.m., by the votes indicated.

Item No. 54 **File No. 190662**

Resolution authorizing the Mayor or her designee(s) to cast assessment ballots in the affirmative for the proposed formation (renewal and expansion) of a property and business improvement district to be named the Civic Center Community Benefit District, with respect to certain parcels of real property owned by the City that would be subject to assessment in said district.

RECOMMENDED AS A COMMITTEE REPORT

Vote: Supervisor Gordon Mar - Aye
Supervisor Vallie Brown - Aye
Supervisor Aaron Peskin - Aye

Cc: Board of Supervisors
Angela Calvillo, Clerk of the Board
Alisa Somera, Legislative Deputy
Jon Givner, Deputy City Attorney

File No. 190662

Committee Item No. 2

Board Item No. 54

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight

Date: June 20, 2019

Board of Supervisors Meeting:

Date: June 25, 2019

Cmte Board

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| <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 |
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OTHER

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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>OEWD Memo - May 30, 2019</u> |

Prepared by: John Carroll

Date: June 14, 2019

Prepared by: John Carroll

Date: June 21, 2019

1 [Assessment Ballots for City Parcels - Civic Center Community Benefit District]

2
3 **Resolution authorizing the Mayor or her designee to cast assessment ballots in the**
4 **affirmative for the proposed formation (renewal and expansion) of a property and**
5 **business improvement district to be named the Civic Center Community Benefit**
6 **District, with respect to certain parcels of real property owned by the City that would be**
7 **subject to assessment in said district.**

8
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. 250-19 on May 21, 2019, entitled "Resolution
13 declaring the intention of the Board of Supervisors to renew and expand a property-based
14 business improvement district known as the 'Civic Center Community Benefit District' and levy
15 a multi-year assessment on all parcels in the district; approving the management district plan
16 and engineer's report and proposed boundaries map for the District; ordering and setting a
17 time and place for a public hearing thereon; approving the form of the Notice of Public Hearing
18 and Assessment Ballot Proceeding, and Assessment Ballot; directing environmental findings;
19 and directing the Clerk of the Board of Supervisors to give notice of the public hearing and
20 balloting as required by law" (the "Resolution of Intention," BOS File No. 190467); and

21 WHEREAS, The Resolution of Intention for the Civic Center Community Benefit District
22 (the "Civic Center CBD" or "District"), among other things, approved the Civic Center
23 Community Benefit District Management District Plan (the "District Management Plan"), dated
24 March 2019, the Civic Center Community Benefit District Engineer's Report, dated
25

1 March 2019, and the Notice of Public Hearing, that are all on file with Clerk of the Board of
2 Supervisors in File No. 190467; and

3 WHEREAS, If the proposed District is established, assessments would be levied and
4 collected against all parcels of real property in the proposed District for a period of 15 years,
5 commencing with FY2019-2020 through FY2033-2034; and

6 WHEREAS, Article XIID, Section 4 of the California Constitution provides that parcels
7 within an assessment district that are owned or used by any government agency, the State of
8 California or the United States shall not be exempt from assessment unless the agency can
9 demonstrate by clear and convincing evidence that those publicly owned parcels in fact
10 receive no special benefit; and

11 WHEREAS, The Board of Supervisors has jurisdiction over 15 parcels of real property
12 within the proposed assessment district that are owned by the City and County of San
13 Francisco, the details of which are set forth in the following chart, which shows for each parcel
14 the street address, Assessor's lot and block number, name/description, proposed assessment
15 amount, and the percent of the total proposed assessments for the District that parcel would
16 be assessed for the first year of the District (which is the corresponding weight to be afforded
17 the City's signature on the ballot to establish the Civic Center CBD):

18

19 ADDRESS	LOT / BLOCK	NAME / DESCRIPTION OF BUILDING	EST. ASSESSMENT AMOUNT	% OF TOTAL CBD BUDGET
20 1122 Market Street	0351 039	BART Entry at UN Plaza – Public Works	\$5,683.21	0.18%
21 UN Plaza	0351 041	BART Entry at UN Plaza – Public Works	\$1,397.71	0.04%
22 1130 Market Street	0351 046	BART Entry at UN Plaza – Public Works	\$20,881.98	0.66%
23 UN Plaza	0351 049	BART Entry at UN Plaza – Public Works	\$11,111.15	0.35%
24 101 Grove Street	0811 001	Dept. of Public Health	\$44,938.58	1.41%

25

1	155 Grove Street	0811 016	Art Commission Gallery	\$5,211.21	0.16%
2	240 Van Ness Ave.	0811 019	Vacant Building	\$6,590.18	0.21%
3	165 Grove Street	0811 021	Art Commission - Vacant Lot	\$4,660.38	0.15%
4	150 Grove Street	0812 001	Bill Graham Auditorium	\$146,892.12	4.62%
5	100 Larkin Street	0354 001	SF Main Public Library	\$138,067.81	4.35%
6	1 So Van Ness Ave.	3506 001	City Office Building	\$59,727.06	1.88%
7	1 Dr. Carlton B Goodlett Place	0787 001	City Hall	\$262,269.21	8.26%
8	Civic Center Plaza, Civic Center Garage	0788 001	Recreation & Park Dept.	\$250,191.02	7.88%
9	25 Van Ness Ave.	0834 004	City Office Building	\$18,031.02	0.57%
10	109 Oak Street	0837 025	San Francisco Fire Department, Station 36	\$3,405.70	0.11%
11					
12	Total			\$979,058.34	30.83%

12 WHEREAS, The Board of Supervisors will hold a public hearing on July 16, 2019, to
13 consider public testimony on the proposed formation (renewal and expansion) of the Civic
14 Center Community Benefit District, the levy of multi-year assessments on real property
15 located in the proposed district, and assessment ballot proceedings for affected property
16 owners to approve or disapprove the assessments; and

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

20 WHEREAS, The Board of Supervisors may cast the assessment ballots for those
21 parcels over which it has jurisdiction, to either approve or disapprove the proposed
22 assessments for those parcels that would be subject to assessment; or the Board may
23 authorize a representative to submit the assessment ballots for parcels over which the Board
24 has jurisdiction; and
25

1 WHEREAS, At the July 16, 2019, public hearing the Board is likely to receive public
2 testimony both in favor of and against the levying of assessments, and the Department of
3 Elections will tabulate the assessment ballots submitted by the owners of affected properties
4 to determine if there is a majority protest; and

5 WHEREAS, It is appropriate for the Board of Supervisors to authorize a representative
6 to submit an assessment ballot for the City-owned parcels within the proposed district over
7 which the Board has jurisdiction to avoid confusion on the Board's dual role as both the
8 legislative body that may form the district and levy assessments if there is no majority protest
9 by the affected property owners, and as the decision-making body for the City as the owner of
10 property subject to assessments; now, therefore, be it.

11 RESOLVED, That the Mayor or her designee is hereby authorized to submit an
12 assessment ballot in the affirmative for the above-listed parcels of real property owned by the
13 City and County of San Francisco over which the Board has jurisdiction that would be subject
14 to assessment in the proposed property and business improvement district to be named the
15 Civic Center Community Benefit District; and, be it

16 FURTHER RESOLVED, That the Board encourages any City department that has
17 exclusive jurisdiction over the Other Property to submit any and all assessment ballots in the
18 affirmative; and, be it

19 FURTHER RESOLVED, That the Clerk of the Board of Supervisors shall cause copies
20 of this Resolution to be delivered to the Office of Economic and Workforce Development, and
21 the Director of Elections, and placed in the Board of Supervisors file for the Resolution to
22 establish the proposed district.

MEMORANDUM

TO: London N. Breed, 45th Mayor of the City and County of San Francisco
FROM: Chris Corgas, Senior Program Manager
DATE: May 30, 2019
RE: Authorization of Mayor to Cast Assessment Ballots for Civic Center Community Benefit District

Dear Mayor Breed,

Enclosed for your review and legislative submittal are the materials related to the proposed authorization for the Mayor or her designee to cast assessment ballots in the affirmative on behalf of the City and County of San Francisco as the owner of fifteen parcels of real property over which the Board of Supervisors has jurisdiction that would be subject to assessment in the proposed renewed and expanded Civic Center Community Benefit District, those materials include:

- Resolution of Authorization for the Mayor or her designees to cast assessment ballots in the affirmative (2 originals)

This piece of legislation follows two other pieces of legislation you have introduced regarding the Civic Center Community Benefit District renewal and expansion allowing you to petition on behalf of City owned parcels and authorizing the CBD's special election. Supervisors Brown and Haney co-sponsored both pieces of previous legislation.

If you should have any questions regarding the materials enclosed or the formation process please do not hesitate to contact me. I look forward to the introduction of the Resolution on Tuesday June 4, 2019.





TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Sophia Kittler
RE: Assessment Ballots for City Parcels – Civic Center Community Benefit District
DATE: May 31, 2019

SK

Resolution authorizing the Mayor or her designee to cast assessment ballots in the affirmative for the proposed formation (renewal and expansion) of a property and business improvement district to be named the Civic Center Community Benefit District, with respect to certain parcels of real property owned by the City that would be subject to assessment in said district.

Please note that Supervisors Haney and Brown are co-sponsors of this legislation.

Should you have any questions, please contact Sophia Kittler at 415-554-6153.

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2019 MAY 31 PM 4:46
BY 