

1 [Assessment Ballots for City Parcels - SoMa West Community Benefit District]

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3 **Resolution authorizing the Mayor or their designee(s) to cast an assessment ballot in**  
4 **the affirmative for the proposed formation of a property and business improvement**  
5 **district to be named the SoMa West Community Benefit District, with respect to certain**  
6 **parcels of real property owned by the City that would be subject to assessment in said**  
7 **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 a Resolution on December 11, 2018, entitled "Resolution declaring  
13 the intention of the Board of Supervisors to establish a property-based business improvement  
14 district (community benefit district) known as the 'SoMa West Community Benefit District' and  
15 levy a multi-year assessment on all parcels in the district; approving the management district  
16 plan and engineer's report and proposed boundaries map for the district; ordering and setting  
17 a time and place for a public hearing thereon; approving the form of the Notice of Public  
18 Hearing and Assessment Ballot Proceeding, and Assessment Ballot; directing environmental  
19 findings; and directing the Clerk of the Board of Supervisors to give notice of the public  
20 hearing and balloting as required by law" (the "Resolution of Intention," File No. 181090); and

21 WHEREAS, The Resolution of Intention for the SoMa West Community Benefit District  
22 (the "SoMa West CBD" or "District"), among other things, approved the SoMa West  
23 Community Benefit District Management District Plan (the "District Management Plan"), dated  
24 October 2018, the SoMa West Community Benefit District Engineer's Report, dated October

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1 2018, and the Notice of Public Hearing, that are all on file with Clerk of the Board of  
2 Supervisors in File No. 181090; 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 fiscal year 2019-2020 through fiscal year 2033-2034; 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 18 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 SoMa West CBD):

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| 19 ADDRESS                    | 20 LOT / BLOCK | 21 NAME / DESCRIPTION OF BUILDING                   | 22 EST. ASSESSMENT AMOUNT | 23 % OF TOTAL CBD BUDGET |
|-------------------------------|----------------|---|---------------------------|--------------------------|
| 24 356 7 <sup>th</sup> Street | 3755 010       | Department of Public Health                         | \$759.88                  | 0.02%                    |
| 25 950 Bryant                 | 3758 127       | Office of Contract Administration (HOJ Gas Station) | \$3,159.64                | 0.08%                    |

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|----------------------------|-----------|----------------------------------|--------------|-------|
| 930 Bryant                 | 3758 128  | Sheriff (HOJ)                    | \$2,685.04   | 0.07% |
| 427 7 <sup>th</sup> Street | 3759 042  | Sheriff (HOJ)                    | \$112,403.94 | 2.95% |
| 934 Brannan                | 3781 008  | Arts Commission                  | \$7,462.41   | 0.20% |
| 1129 Howard                | 3730 091  | Recreation and Park Dept.        | \$1,781.67   | 0.05% |
| 1004 Folsom                | 3731 012  | Recreation and Park Dept.        | \$2,494.60   | 0.07% |
| 190 9 <sup>th</sup> Street | 3509 008A | SFCC – Public Library            | \$9,087.92   | 0.24% |
| 935 Folsom                 | 3753 313  | SFCC – Fire Department           | \$3,888.90   | 0.10% |
| 450 6 <sup>th</sup> Street | 3759 043  | SFCC – GSA, Real Estate Division | \$1,667.13   | 0.04% |
| 555 7 <sup>th</sup> Street | 3779 031  | SFCC – GSA, Real Estate Division | \$1,192.81   | 0.03% |
| 555 7 <sup>th</sup> Street | 3779 032  | SFCC – GSA, Real Estate Division | \$6,040.78   | 0.16% |
| 555 7 <sup>th</sup> Street | 3779 042  | SFCC – GSA, Real Estate Division | \$356.37     | 0.01% |
| 555 7 <sup>th</sup> Street | 3779 043  | SFCC – GSA, Real Estate Division | \$356.37     | 0.01% |
| 555 7 <sup>th</sup> Street | 3779 044  | SFCC – GSA, Real Estate Division | \$356.37     | 0.01% |
| 255 7 <sup>th</sup> Street | 3731 240  | MOHCD                            | \$1,513.36   | 0.04% |
| 555 7 <sup>th</sup> Street | 3779 141  | SFCC                             | \$356.37     | 0.01% |
| 55 Sherman Street          | 3754 016  | Recreation and Park Dpt –        | \$20,906.54  | 0.55% |

|              |  |                                |                     |              |
|--------------|--|--------------------------------|---------------------|--------------|
|              |  | Victoria Manalo<br>Draves Park |                     |              |
|              |  |                                |                     |              |
| <b>TOTAL</b> |  |                                | <b>\$176,470.10</b> | <b>4.64%</b> |

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5 WHEREAS, The Board of Supervisors will hold a public hearing on February 5, 2019,  
6 to consider public testimony on the proposed formation of the SoMa West Community Benefit  
7 District, the levy of multi-year assessments on real property located in the proposed district,  
8 and assessment ballot proceedings for affected property owners to approve or disapprove the  
9 assessments; and

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

13 WHEREAS, The Board of Supervisors may cast the assessment ballots for those  
14 parcels over which it has jurisdiction, to either approve or disapprove the proposed  
15 assessments for those parcels that would be subject to assessment; or the Board may  
16 authorize a representative to submit the assessment ballots for parcels over which the Board  
17 has jurisdiction; and

18 WHEREAS, At the February 5, 2019, public hearing the Board is likely to receive public  
19 testimony both in favor of and against the levying of assessments, and the Department of  
20 Elections will tabulate the assessment ballots submitted by the owners of affected properties  
21 to determine if there is a majority protest; and

22 WHEREAS, It is appropriate for the Board of Supervisors to authorize a representative  
23 to submit an assessment ballot for the City-owned parcels within the proposed district over  
24 which the Board has jurisdiction to avoid confusion on the Board's dual role as both the  
25 legislative body that may form the district and levy assessments if there is no majority protest

1 by the affected property owners, and as the decision-making body for the City as the owner of  
2 property subject to assessments; now, therefore, be it

3 RESOLVED, That the Mayor or their designee(s) is hereby authorized to submit an  
4 assessment ballot in the affirmative for the above-listed parcels of real property owned by the  
5 City and County of San Francisco over which the Board has jurisdiction that would be subject  
6 to assessment in the proposed property and business improvement district to be named the  
7 SoMa West Community Benefit District; and, be it

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

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