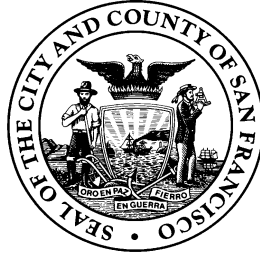


BOARD of SUPERVISORS



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. 56                      File No. 190692**

**Resolution authorizing the Mayor or her designee(s) to cast an assessment ballot in the affirmative for the proposed formation of a property and business improvement district to be named the Downtown 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. 190692

Committee Item No. 4

Board Item No. 56

## 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

- |                                     |                                     |  |
|-------------------------------------|-------------------------------------|--|
| <input type="checkbox"/>            | <input type="checkbox"/>            | Motion                                       |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution                                   |
| <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                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Public Correspondence                        |

#### OTHER

- |                                     |                                     |                                 |
|-------------------------------------|-------------------------------------|---------------------------------|
| <input type="checkbox"/>            | <input type="checkbox"/>            | _____                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | _____                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | _____                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | _____                           |
| <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 - Downtown Community Benefit District]  
2

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

8 WHEREAS, Pursuant to the Property and Business Improvement Law of 1994,  
9 California Streets and Highways Code, Sections 36600 et seq. (the "Act"), as augmented by  
10 Article 15 of the San Francisco Business and Tax Regulations Code ("Article 15"), the Board  
11 of Supervisors adopted Resolution No. 237-19 on May 14, 2019, entitled "Resolution  
12 declaring the intention of the Board of Supervisors to establish a property-based business  
13 improvement district known as the 'Downtown Community Benefit District' and levy a multi-  
14 year assessment on all parcels in the district; approving the management district plan and  
15 engineer's report and proposed boundaries map for the district; ordering and setting a time  
16 and place for a public hearing thereon; approving the form of the Notice of Public Hearing and  
17 Assessment Ballot Proceeding, and Assessment Ballot; directing environmental findings; and  
18 directing the Clerk of the Board of Supervisors to give notice of the public hearing and  
19 balloting as required by law" (the "Resolution of Intention," BOS File No.190426); and

20 WHEREAS, The Resolution of Intention for the Downtown Community Benefit District  
21 (the "Downtown CBD" or "District"), among other things, approved the Downtown Community  
22 Benefit District Management District Plan (the "District Management Plan"), dated April 2019,  
23 the Downtown Community Benefit District Engineer's Report, dated April 2019, and the Notice  
24 of Public Hearing, that are all on file with Clerk of the Board of Supervisors in File No.190426;  
25 and

1 of Public Hearing, that are all on file with Clerk of the Board of Supervisors in File No.190426;  
2 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 two 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 Downtown CBD):

18

19 ADDRESS	20 LOT / BLOCK	21 NAME / DESCRIPTION OF BUILDING	22 EST. ASSESSMENT AMOUNT	23 % OF TOTAL CBD BUDGET
24 532 SANSOME ST	0206 017	CITY & COUNTY OF SAN FRANCISCO	\$1,500.00	0.04%
25 STEVENSON	3708 031	CITY & COUNTY OF SAN FRANCISCO	\$4,644.00	0.12%

TOTAL		\$6,144.00	0.16%
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WHEREAS, The Board of Supervisors will hold a public hearing on July 16, 2019, to consider public testimony on the proposed formation of the Downtown Community Benefit District, the levy of multi-year assessments on real property located in the proposed district, and assessment ballot proceedings for affected property owners to approve or disapprove the assessments; and

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

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

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

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

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

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

**MEMORANDUM**

TO: Aaron Peskin, District 3 Supervisor  
FROM: Chris Corgas, Senior Program Manager  
DATE: May 30, 2019  
RE: Authorization of Mayor to Cast Assessment Ballots for Downtown Community Benefit District

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2019 JUN 11 PM 4:00  
AK

Dear Supervisor Peskin,

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 two parcels of real property over which the Board of Supervisors has jurisdiction that would be subject to assessment in the Downtown Community Benefit District, those materials include:

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

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.



Print Form

# Introduction Form

By a Member of the Board of Supervisors or Mayor

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2019 JUN 11 PM 4:29  
Time stamp  
or meeting date AK

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 [redacted] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [redacted] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. [redacted]
- 9. Reactivate File No. [redacted]
- 10. Topic submitted for Mayoral Appearance before the BOS on [redacted]

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):

Supervisor Aaron Peskin

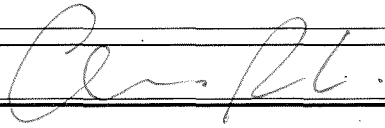
Subject:

Assessment Ballots for City Parcels - Downtown Community Benefit District

The text is listed:

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

Signature of Sponsoring Supervisor:



For Clerk's Use Only