

File No. 100991

Committee Item No. 6

Board Item No. 9

### COMMITTEE/BOARD OF SUPERVISORS

#### AGENDA PACKET CONTENTS LIST

Committee: Budget and Finance Committee

Date: September 22, 2010

Board of Supervisors Meeting

Date September 28, 2010

#### Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget Analyst Report
- Legislative Analyst Report
- Ethics Form 126
- Introduction Form (for hearings)
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Award Letter
- Application
- Public Correspondence \*

#### OTHER

(Use back side if additional space is needed)

- Petitions\*\*
- Management District Plan
- Management District Plan Appendix\*\*
- Engineer's Report
- 

Completed by: Victor Young

Date: September 17, 2010

Completed by: Victor Young

Date: \_\_\_\_\_

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

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1 [Resolution of Intention to Form the Ocean Avenue Community Benefits District]

2  
3 **Resolution (1) declaring the intention of the Board of Supervisors to establish a**  
4 **property-based business improvement district (community benefit district) to be**  
5 **known as the "Ocean Avenue Community Benefits District" and levy a multi-year**  
6 **assessment on identified parcels in the district, (2) approving the management**  
7 **district plan and engineer's report and proposed boundaries map for the district,**  
8 **(3) ordering and setting a time and place for a public hearing thereon, (4) approving**  
9 **the form of the Notice of Public Hearing and Assessment Ballots, and (5) directing the**  
10 **Clerk of the Board of Supervisors to give notice of the public hearing and balloting as**  
11 **required by law.**

12  
13 WHEREAS, The Property and Business Improvement District Law of 1994, Part 7 of  
14 Division 18 of the California Streets and Highways Code, commencing with Section 36600  
15 (the "Law"), authorizes cities to establish property and business improvement districts within  
16 business districts to promote the economic revitalization and physical maintenance of such  
17 business districts; and

18 WHEREAS, Section 36603 of the Law recognizes the authority of Charter cities to  
19 adopt ordinances providing for different methods of levying assessments for similar or  
20 additional purposes from those set forth in the Law; and

21 WHEREAS, Article 15 of the San Francisco Business and Tax Regulation Code  
22 ("Article 15") augments certain procedural and substantive requirements relating to the  
23 formation of property and business improvement districts and the assessments on real  
24 property or businesses within such districts; and

25 WHEREAS, The Law and Article 15 authorize the City to levy and collect assessments

1 on real property within such districts for the purpose of providing improvements and promoting  
2 activities and property-related services that specially benefit identified parcels of real property  
3 located within such districts; and

4 WHEREAS, Article XIID of the California Constitution and Section 53753 of the  
5 California Government Code impose certain procedural and substantive requirements relating  
6 to assessments on real property; and

7 WHEREAS, The Law and Article 15 impose additional procedural and substantive  
8 requirements relating to assessments on real property within a proposed property and  
9 business improvement district, also known as a community benefit district ("CBD"); and

10 WHEREAS, The Board of Supervisors finds that the property-related services, activities  
11 and improvements to be funded with assessments on real property within the proposed district  
12 will confer substantial special benefits on the assessed properties over and above the general  
13 benefits to the public at large from such services, activities and improvements; and

14 WHEREAS, The property owners who will pay more than 30 percent of the total  
15 amount of assessments on properties within the proposed district signed and submitted to the  
16 Clerk of the Board of Supervisors a petition (the "Petition") requesting that the Board of  
17 Supervisors establish a property-based community benefit district to be named the "Ocean  
18 Avenue Community Benefits District," and to levy assessments on properties located in the  
19 proposed district to fund property-related services, activities and improvements within the  
20 district; and

21 WHEREAS, A Management District Plan entitled the "Ocean Avenue Community  
22 Benefits District Management District Plan" containing information about the proposed district  
23 and assessments required by Section 36622 of the Law, including but not limited to maps  
24 showing all identified parcels located in the district, a description of the boundaries of the  
25 district, the name of the district, the amount of the proposed assessment for each identified

1 parcel, the total annual amount chargeable to the entire district, the duration of the payments,  
2 the property-related services, activities and improvements to be funded by the assessments  
3 for each year and the maximum cost thereof, the method and basis upon which the  
4 assessments are calculated in sufficient detail to allow each property owner to calculate the  
5 amount of the assessment to be levied against his or her property, a statement that no bonds  
6 will be issued, the time and manner of collecting the assessments, and a list of the properties  
7 to be assessed (including assessor parcel numbers), has been submitted to the Clerk of the  
8 Board of Supervisors, with an amended plan submitted September 22, 2010; and

9 WHEREAS, A detailed engineer's report supporting the assessments within the  
10 proposed district, prepared by K. Dennis Klingelhofer, California Registered Professional  
11 Engineer No. C 50255, dated March 11, 2010, entitled "Ocean Avenue Community Benefits  
12 District, Engineer's Report," has been submitted to the Clerk of the Board of Supervisors, with  
13 an amended report submitted September 22, 2010; and

14 WHEREAS, A Proposed Boundaries Map has been submitted to the Clerk of the Board  
15 of Supervisors pursuant to California Streets and Highways Code §3110;

16  
17 Now, therefore, be it

18 RESOLVED, That the Board of Supervisors declares as follows:

19 Section 1. Pursuant to Section 36621(a) of the Law and Article 15, the Board of  
20 Supervisors declares its intention to form a property and business improvement district to be  
21 designated as the "Ocean Avenue Community Benefits District" (the "District") for a period of  
22 fifteen (15) years, and to levy and collect assessments against all identified parcels of real  
23 property in the District for a period of fifteen (15) years, commencing with fiscal year 2010-  
24 2011, subject to approval by a majority of the property owners in the District who cast  
25 assessment ballots, which ballots shall be weighted according to the proportional financial

1 obligations of the affected properties. No bonds will be issued. District operations will  
2 commence on or about January 1, 2011, following collection of the assessments for fiscal  
3 year 2010-2011 and disbursement of the assessment proceeds to the nonprofit owners'  
4 association that will administer the property-related services, activities and improvements in  
5 the District pursuant to Section 36651 of the Law and a written agreement with the City.

6 Section 2. The Board of Supervisors hereby approves the Management District Plan  
7 and District Assessment Engineer's Report as each amended September 22, 2010, including  
8 the estimates of the costs of the property-related services, activities and improvements set  
9 forth in the plan, and the assessment of said costs on the properties that will specially benefit  
10 from such services, activities and improvements. A copy of the Management District Plan and  
11 the District Assessment Engineer's Report, as each amended September 22, 2010, are on file  
12 with the Clerk of the Board of Supervisors in File No. 100991. The Clerk of the Board  
13 shall make the Management District Plan, District Assessment Engineer's Report and other  
14 documents related to the District and included in the record before the Board of Supervisors  
15 available to the public for review during normal business hours, Monday through Friday 8:00  
16 a.m. through 5:00 p.m., excluding legal holidays.

17 Section 3. The Board of Supervisors hereby approves the Proposed Boundaries  
18 Map showing the exterior boundaries of the District, which is on file with the Clerk of the Board  
19 of Supervisors in File No. 100991 and incorporated herein by reference. The  
20 proposed District contains approximately 148 identified parcels in the Ocean Avenue area.  
21 The exterior boundaries of the District include all parcels on both sides of the street unless  
22 otherwise noted, as follows: those properties that front Ocean Avenue from Manor Drive on  
23 the west, running along Ocean Avenue to Interstate 280.

1           Within the Ocean Avenue CBD, there are two separate benefit zones established in  
2 order to reflect the different levels of service provided:

3           Zone 1 includes properties fronting the northern side of Ocean Avenue from Manor  
4 Drive on the west to Phelan Avenue on the east. Zone 1 also includes the properties fronting  
5 the south side of Ocean Avenue from Victoria Street on the west to Geneva Avenue on the  
6 east. There are currently 145 properties located within Zone 1. The properties consist of a  
7 variety of different land use types such as commercial, non-profit, religious, public, and  
8 residential.

9           Zone 2 includes three properties located east of Geneva Avenue and Phelan Drive to  
10 Interstate 280; designated as Assessor's Parcels 3179 -010, 6946 -061, and 6948 -023. The  
11 three properties in Zone 2 include the portion of the San Francisco City College Ocean  
12 Avenue campus and Lick Wilmerding High School that front Ocean Avenue, and a City owned  
13 median, landscaped property located at the intersection of Ocean Avenue and Geneva  
14 Avenue. Zone 2 does not include any of the Assessor's Parcels within Assessor's Block  
15 6947. In comparison to Zone 1, Zone 2 receives a reduced level of improvements, services,  
16 and activities.

17           Reference should be made to the detailed maps and the lists of parcels identified by  
18 Assessor Parcel Number that are contained in the Management District Plan, in order to  
19 determine which specific parcels are included in the Ocean Avenue Community Benefits  
20 District.

21           Section 4. A public hearing on the establishment of the District, and the levy and  
22 collection of assessments starting with fiscal year 2010-2011 and continuing through fiscal  
23 year 2024-2025, shall be conducted before the Board of Supervisors on November 16, 2010  
24 at 3:00 p.m., or as soon thereafter as the matter may be heard, in the Board's Legislative  
25 Chambers, Second Floor, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco,

1 California, 94102. At this public hearing, the Board of Supervisors will hear public testimony  
2 regarding the proposed formation of the District, assessments, boundaries of the District,  
3 including testimony from all interested persons for or against establishment of the District, the  
4 extent of the District, the levy of the assessments, the furnishing of specific types of property-  
5 related services, improvements and activities, and other matters related to the District. The  
6 Board of Supervisors may waive any irregularity in the form or content of any written protest,  
7 and at the public hearing may correct minor defects in the proceedings. All protests submitted  
8 by affected property owners and received prior to the conclusion of the public testimony  
9 portion of the public hearing shall be tabulated to determine whether a majority protest exists.

10 Section 5. The Board of Supervisors hereby approves the form of the Notice of  
11 Public Hearing and Assessment Ballot which are on file with the Clerk of the Board of  
12 Supervisors in File No. 100991.

13 Section 6. The proposed property-related services, improvements or activities for  
14 the District include two principal programs: a Cleaning, Maintenance, and Safety program;  
15 and a Marketing, Streetscape, and Beautification program. In addition, there will be a  
16 Management and Operations component.

17 **A. Cleaning, Maintenance, and Safety Program:**

18 The Cleaning, Maintenance, and Safety Program includes continuous sidewalk  
19 sweeping, refuse removal, regularly scheduled steam cleaning, pressure washing, graffiti  
20 removal, tree pruning and watering, tree well weeding with crushed granite replenishment,  
21 and a variety of safety services efforts. A team of maintenance and safety workers will carry  
22 out these tasks for each benefit zone, summarized as follows:

23 Benefit Zone 1 District services, improvements, and activities will include, but are not  
24 limited to:  
25



- 1 • Regular sidewalk cleaning including but not limited to steam cleanings,  
2 sweeping, hot water scrubbing and cleaning of the Municipal Railway boarding  
3 islands as needed, and the Phelan Loop Bus Turn-Around Pedestrian layover  
4 areas.
- 5 • Graffiti removal.
- 6 • Paint over major graffiti attacks, approximately 6 times per year (ground or  
7 second floor).
- 8 • Sidewalk, gutter, and tree well sweeping and trash removal (daily).
- 9 • Utility pole/box flyer and mastic tape removal and graffiti removal as required.
- 10 • Tree well weeding (quarterly) and crushed granite replenishing as needed.
- 11 • Small tree pruning – approximately 20 to 36 times per year, prune for shape and  
12 for air circulation.
- 13 • Large tree pruning - approximately 6 to 12 times per year, prune for shape and  
14 air circulation.
- 15 • Tree watering, every 3 weeks during the dry season.
- 16 • Tree trunk graffiti removal using soapy water and wire brushes, as needed.
- 17 • Gardening and maintenance of Phelan Loop corner landscaped public garden,  
18 including trash removal (weekly).
- 19 • Landscape maintenance of Phelan Bus turnaround.
- 20 • Corridor safety, to include way-finding, assistance to visitors,  
21 ambassadors/guides/security that promote citizen efforts through assistance in  
22 crime prevention, provide street population/homeless with social services  
23 information; and continued collaboration with SFPD on crime prevention and  
24 pedestrian safety.
- 25

1 Benefit Zone 2 services, improvements and activities will include, but are not limited to:

- 2 • Regular sidewalk cleanings, at approximately a 50% reduced frequency of
- 3 Zone 1, including but not limited to steam cleanings, sweeping, hot water
- 4 scrubbing and cleaning of the Municipal Railway boarding islands as needed,
- 5 and the Phelan Loop Bus Turn-Around Pedestrian layover areas.
- 6 • Sidewalk, gutter, and tree well sweeping and trash removal (3 days per week).
- 7 • Utility pole/box flyer and mastic tape removal and graffiti removal as required.
- 8 • Weed removal within 10 feet of sidewalk, tree well weeding (quarterly) and
- 9 crushed granite replenishing as needed.
- 10 • Small tree pruning – approximately 10 to 18 times per year, prune for shape and
- 11 for air circulation.
- 12 • Large tree pruning - approximately 3 to 6 times per year, prune for shape and air
- 13 circulation.
- 14 • Corridor safety, to include way-finding, assistance to visitors,
- 15 ambassadors/guides/security that promote citizen efforts through assistance in
- 16 crime prevention, provide street population/homeless with social services
- 17 information; and continued collaboration with SFPD on crime prevention and
- 18 pedestrian safety.

19 **B. Marketing, Streetscape Improvements, and Beautification Program:**

20 Marketing, Streetscape, and Beautification program services and activities can include,  
21 but are not limited to:

- 22 • Advocacy.
- 23 • Beautification.
- 24 • Capital improvements.
- 25 • Business retention activities.

- 1 • Newsletters, advertisements, brochures, and website.
- 2 • Holiday decorations.
- 3 • Concerts, street festivals and other special events.
- 4 • Banners and other public art.

5 **C. Management and Operations**

6 The Management and Operations component will focus on community relationships,  
7 involvement, and support. Regular activities and initiatives that will support this task include:

- 8 • A dedicated Ocean Avenue part-time executive director who will serve as a focal  
9 point person and advocate for Ocean Avenue
- 10 • Office expenses including accounting, rent, utilities, office supplies, insurance,  
11 legal, and other professional services
- 12 • Grant applications and facilitation, including safety related efforts.

13 Section 7. Within the area encompassed by the proposed District, the City currently  
14 provides services at the same level provided to other similar areas of the City. It is the intent  
15 of the Board of Supervisors to continue to provide the area encompassed by the District with  
16 the same level of services provided to these other similar areas of the City. The  
17 establishment of the District will not affect the City's policy to continue to provide the same  
18 level of service to the areas encompassed by the District as it provides to other similar areas  
19 of the City during the duration of the District.

20 Section 8. The annual assessment proposed to be levied and collected for the first  
21 year of the District (fiscal year 2010-2011) is estimated to be \$239,578. The amount of the  
22 annual assessment to be levied and collected for years four through fifteen (fiscal years 2011-  
23 2012 through 2024-2025) may be increased from one year to the next by a percentage that  
24 does not exceed either the change in the Consumer Price Index for All Urban Consumers in  
25 the San Francisco-Oakland-San Jose Consolidated Metropolitan Statistical Area, or three

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percent (3%), whichever is less.

Section 9. The Clerk of the Board is directed to give notice of the public hearing as provided in California Streets and Highways Code Section 36623, California Government Code Section 53753, California Constitution Article XIID Section 4, San Francisco Charter Section 16.112, and San Francisco Administrative Code Section 67.7-1.

# Ocean Avenue Revitalization Collaborative



4702 Mission Street  
San Francisco, CA 94112

oFfice: (415) 375-2265  
fAx: (415) 585-0170  
www.oceanave-arc.org

September 2, 2010

Supervisor John Avalos  
Office of District 11 Board of Supervisor  
City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102

Re: Resolution of Intent to Establish the Ocean Avenue Community Benefit District

Dear Supervisor Avalos,

The Ocean Avenue Revitalization Collaborative (OARC) is excited to present you with the Ocean Avenue CBD Management Plan and petitions representing 31.61% weighted support or \$75,919.88 of special assessment funds. We request your support to introduce a resolution of intent to establish the Ocean Avenue Community Benefit District (CBD). The petitions enclosed are consistent with the requirements of the City and represent at least 30% of the final special benefits assessment budget. during the first year which totals \$240,174.

This special benefit district is formed under the provisions of Article 15 Business Improvement District's Procedure Code which amends State Streets and Highway Section 36600, in the formation of Property Business Improvement Districts in the City and County of San Francisco. Section 1511 (a) states that the "Board of Supervisors may initiate proceedings to establish a property and business improvement district upon receipt of a petition signed by property owners in the proposed district who will pay at least 30% of the assessments proposed to be levied."

The OARC Steering Committee is comprised of local merchants, property owners, and residents who volunteer and are committed to the continuing efforts of making the Ocean Avenue commercial corridor a safe and vibrant community for everyone. Since 2006, the OARC has been working with the community to increase the economic viability of the district. Our projects on the commercial corridor include, but are not limited to, technical business assistance, landscaping and beautification improvements, façade improvements, yearly holiday decorations, marketing events, business promotion and community clean-ups. Establishing a CBD on Ocean Avenue will further maximize resources, improve retail corridor recognition and strengthen the community's involvement and ties in the retail district.

Please support us by sponsoring the resolution of intent to establish the Ocean Avenue CBD. If you have any questions regarding our request, please contact me at (415) 375-2265.

Sincerely,

Dolly Sithoumholat  
Project Manager  
Ocean Avenue Revitalization Collaborative

Complete copy of  
petitions located  
in File No. 100991.



**Statistics Automatically Calculate**

**Petition Results:**

Number of Petitions Supporting 19  
 Number of Petitions Opposed 24  
 Number of Petitions Received 43

Support Assessment Amount \$75,919.88

Opposition Assessment Amount \$33,592.06

Total Petition Assessment Amount \$109,511.94

Total Assessment Amount \$240,173.69

**% of Petition Support 31.61%**

**Sufficient Support to Proceed? Yes**

Number of Duplicate Petitions 0

**% of Petition Opposed 13.99%**

**Enter Petition APN Below**  
**Based on the Petition Response,**  
**Insert the APN (without any spaces)**  
**In either the "Support" or "Oppose" Column**

CBD Support	CBD Oppose
3191-010	3198-013
3281-041	3281-020D
3281-053	6915-020
6936-017	6915-019
3282-037	3198-016
3179-010	6915-018
6948-023	6936-015
6943-054	3281-020B
6945-045	6915-034
6936-013	6941-060
6941-064	6915-032
6935-001	3197-006
6935-026	3197-007
6935-021	3197-008
6935-020	3197-010
3279-012A	6915-027
3279-012	3196-006
3180-003	6936-001
3283-124	6933-035
	6934-001
	6935-027
	3281-035
	3196-005
	3282-031

# PETITION TO THE SAN FRANCISCO BOARD OF SUPERVISORS TO ESTABLISH THE OCEAN AVENUE COMMUNITY BENEFITS DISTRICT

1. As the owner(s) of property, or authorized representatives of the owner(s), within the proposed special assessment district to be named the "OCEAN AVENUE COMMUNITY BENEFITS DISTRICT," or "CBD", the boundaries of which are shown on the attached map and in the Management District Plan for the CBD (hereafter "Plan"), we represent the persons and/or entities that would be obligated to pay the special assessments for the improvements, services, and activities described in the Plan if the proposed CBD is established by the Board of Supervisors following the public hearing and ballot election. The full Plan is available at [www.oceanave-oarc.org](http://www.oceanave-oarc.org) or at OARC offices at 4702 Mission Street in San Francisco, and will be furnished upon request. Please direct questions to (415) 375-2265.
2. We petition the Board of Supervisors to initiate CBD special assessment district formation proceedings, in accordance with applicable state and local laws. The legislative authority for such a CBD is found in *California Streets and Highways Code* Sections 36600 et seq. "Property and Business Improvement District Law of 1994" and is augmented by the City and County of San Francisco Business and Tax Regulation Code Article 15. "Business Improvement District Procedure Code."
3. It is understood that upon receipt of this petition signed by the property owners who will pay more than thirty percent (30%) of the proposed assessments, the Board of Supervisors may initiate proceedings to establish the CBD. These proceedings will include a mailed protest ballot process, with ballots sent to property owners. The Board of Supervisors may establish the CBD if there is not a majority process, defined as a majority of ballots returned weighted by property owners' assessments.
4. Our property information and initial annual property assessment is as follows:

Assessor Parcel Number (APN): 3191 -010

Situs/Street Address: 1700 OCEAN AVE

Name of Owner: WU CHUNG LIVING TRUST C/O HOWARD CHUNG

Zone of Benefit: 1

Linear Street Frontage: 95.304

Commercial Building Square Footage: 5,462

Commercial Lot Square Footage: 9,861

Annual Assessment Amount: \$3,383.04

Percentage of Total Annual Assessment: 1.409%

Yes, we/I petition the Board of Supervisors to initiate CBD assessment proceedings.

No, we/I do not petition the Board of Supervisors to initiate CBD assessment proceedings.

Signature of owner (or authorized representative\*): 

Print name of owner (or authorized representative\*): Howard W. Chung

Telephone number and/or email address: 415 788 1280 hchung@yahoo.com

Date: 3/22/10

\* Note: If signature is by an authorized representative, please check this box

Please return by March 31, 2010 to 4702 Mission Street, San Francisco, CA 94112 or via fax to 415-585-0170.





**City and County of San Francisco**

**Ocean Avenue  
Community Benefits District**

**Management District Plan**

**Revised September 2010**

*Prepared by*



*On behalf of the Ocean Avenue Revitalization Collaborative and community stakeholders of the Ocean Avenue area of San Francisco*

**Main Office**  
32605 Temecula Parkway, Suite 100  
Temecula, CA 92592  
800.676.7516

**San Francisco Office**  
870 Market Street, Suite 1223  
San Francisco, CA 94102  
800.434.8349

Complete copy of  
document located in  
File NO. 100991

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## **DISTRICT AT A GLANCE**

Ocean Avenue community members have been involved in several community improvement efforts over the years to make the Ocean Avenue community a better place to conduct business and live. This endeavor includes the efforts of the Ocean Avenue Revitalization Collaborative ("OARC"). The OARC is comprised of a group of local merchants, property owners, and residents who are committed to making the Ocean Avenue commercial corridor a vibrant and safe place. One of the ways to maximize the available resources and provide a funding source in that effort is through the establishment of a Community Benefits District ("CBD"). A CBD is a special financing district that provides for the levy and collection of assessments on properties within a geographically defined area. Assessment revenue collected from the benefitting properties pays for the costs associated with the improvements, services, and activities provided to the CBD area.

As part of the community outreach process to involve local merchants, property owners, residents and visitors, the OARC conducted surveys in 2007 and again in September of 2009. The OARC used the surveys to rank and gauge the level of support, as well as the perceived importance of various activities throughout the Ocean Avenue area. Of those that responded to the September 2009 survey, 74% felt that a CBD would increase the overall appeal of the Ocean Avenue area.

The positive survey results, coupled with ongoing supportive community outreach meetings, encouraged community members to move forward to the next stage of the CBD formation process. This management district plan supports those next steps and following is a brief summary of the proposed CBD.

### **Boundary**

The boundary of the Ocean Avenue CBD includes those properties that front Ocean Avenue from Manor Drive on the west running along Ocean Avenue to Interstate 280. Properties lying outside of this area are predominately residential neighborhoods. The Ocean Avenue CBD will not provide services and activities to those outlying properties. Within the Ocean Avenue CBD, there are two separate benefit zones established in order to reflect the different levels of service provided.

### **Zone 1**

Zone 1 includes properties fronting the northern side of Ocean Avenue from Manor Drive on the west to Phelan Avenue on the east, and properties fronting the south side of Ocean Avenue from Victoria Street on the west to Geneva Avenue on the east. Zone 1 includes The Phelan Loop Parcel number 3180-001 which is undergoing a major re-development and is expected to be sub-divided into various parcels in the near future. The portion of the Phelan Loop Parcel number 3180-001 dedicated for use by the Public Utilities Commission for future Emergency Water Storage is exempt from assessment within the CBD as it will not benefit from CBD services and does not have fronting sidewalk along Ocean Avenue or near the corner of Ocean Avenue and Phelan Avenue.

### **Zone 2**

Zone 2 includes three properties located east of Geneva Avenue and Phelan Drive to Interstate 280, designated as Assessor's Parcels 3179-010, 6946-061, and 6948-023. The three properties in Zone 2 include the portions of the San Francisco City College Ocean Avenue campus and Lick Wilmerding High School that front Ocean Avenue, and a City owned median, landscaped property located at the intersection of Ocean Avenue and Geneva Avenue.

### **Improvements, Services, and Activities**

The improvements, services, and activities provided in this plan include: a Cleaning, Maintenance and Safety program along Ocean Avenue; a Marketing, Streetscape Improvements, and Beautification program to promote the Ocean Avenue commercial district; and various management activities to support those efforts.

**Annual Total Budget and Assessments**

The total proposed annual operating budget for Fiscal Year 2010/11 is \$241,998. Assessment revenue provides \$239,578 of the annual budget. The remaining annual budget amount comes from additional funds generated from sources such as grants, donations, and fees for service contracts and in kind donations. The assessment calculation for each property utilizes a combination of linear street frontage, building square footage, and lot square footage. The Method of Assessment section of this Management District Plan provides a more detailed procedure of the annual assessment calculation.

**Term**

The initial term is fifteen years. After fifteen years, the property owners and legislative body will need to re-authorize the assessment for an additional term.

**Note on revisions from March 2010 to September 2010 versions of Management Plan**

There were a few revisions to the CBD Management District Plan. The most substantial revisions relate to the additional services and activities involving the Phelan Loop parcel that will become effective upon the development of that parcel in the near future. The marketing budget was slightly increased, with reductions to the contingency/reserve budget. There were also some small changes to data on a couple of parcels, as well as nominal changes to the background text. There are no instances of an increase to a parcel's proposed annual assessment.

## **BACKGROUND**

After a successful community effort organized around the addition of MUNI rail lines on Ocean Avenue, a group of community stakeholders interested in revitalizing the Ocean Avenue commercial district formed the Ocean Avenue Revitalization Collaborative (OARC) in 2005. As a volunteer-driven organization with a mission to develop a community-driven vision of the Ocean Avenue commercial corridor by increasing cleanliness, promoting the shopping district, supporting the existing businesses, attracting resources for physical improvements, monitoring important development projects along the corridor, addressing safety concerns, building community pride, and coordinating with other community groups. Over time, the OARC formed a Community Benefit District (CBD) sub-committee to explore the establishment of a community improvement district on Ocean Avenue through ongoing community engagement and meetings.

Property owners establish community improvement districts to provide a constant funding source for various improvements, services, and activities that benefit properties within a defined geographical area. The improvements, services, and activities can include providing enhanced cleaning and maintenance services, improving security, providing for economic development to promote and revitalize an area, and other programs found to benefit an area. The ongoing revenue stream for the improvements, services, and activities comes from the annual assessments that are levied upon properties within the area following a formal petition and ballot approval process by the weighted majority of those assessed and then only after public hearings and approval by the Board of Supervisors.

### **What is a Community Benefits District (“CBD”)?**

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A CBD is a special financing district that provides for the levy and collection of assessments on properties within a geographically defined area. Assessment revenue collected from the benefitting properties pays the costs associated with the improvements, services, and activities provided to the CBD area. In San Francisco the legislation that allows for the establishment of a CBD is the Property and Business Improvement District Act of 1994, California Streets and Highway Code Sections 36600 et seq. (“1994 Act”) augmented by the Business Improvement District Procedure, Article 15 of the San Francisco Business and Tax Regulations Code. The 1994 Act allows for the levy of special assessments on both properties and or businesses. CBD’s are also referred to as Business or Property Improvement Districts (“BIDs”) in some areas of San Francisco.

A CBD established under the 1994 Act requires the establishment of an owners’ association. The CBD’s owners’ association to be known as the “CBD Management Corporation” will manage the CBD funded services. The CBD’s Management Corporation determines the needed improvements, services, and activities within the CBD boundaries, and how the assessment revenue collected is to be spent among the selected improvements, services and activities. In San Francisco, the Board of Supervisors must authorize the formation and establishment of the CBD and following the CBD formation, the City will levy and collect the annual assessment. Once authorized, the City will enter into a management agreement with the CBD Management Corporation. The unique characteristic of the CBD Management Corporation is that once the CBD is established, the CBD Management Corporation manages the CBD funded services.

BIDs serve as highly successful funding mechanisms. Some notable BIDs include: the Greater Union Square BID in San Francisco, the LA Fashion District BID in Los Angeles, and the Times Square BID in New York City. Existing residential neighborhood based BIDs in San Francisco are known as CBDs and can be found in Noe Valley, Upper Market/Castro, the Fillmore among other places. There are currently 10 BIDs/CBDs in operation throughout San Francisco.

## **The Business Improvement Districts Procedure “Article 15”**

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In 2004, the Board of Supervisors enacted The Business Improvement Districts Procedure, which added Article 15 to the Business and Tax Regulations Code of the City and County of San Francisco Municipal Code (“Article 15”). Article 15 augmented the 1994 Act and provided for the following changes:

- Reduce the weighted percentage (from 50% to 30%) of petitions required from those that may be assessed, in order to initiate the formation of a CBD;
- Extend the potential term of a CBD to a maximum of 15 years; and
- Authorize the CBD to recover, through assessments, the costs incurred during formation.

## **Establishing a CBD**

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The 1994 Act as augmented by Article 15 serves as the legal guidance in establishing this CBD.

As part of the formation proceedings, proponents prepare a Management District Plan in accordance with Section 36622 of the 1994 Act. The Management District Plan contains, but is not limited to, the following required elements:

- a map, in sufficient detail to locate each assessed property within the community or business improvement district;
- the name of the community or business improvement district;
- the description of the boundaries, including any zones of benefit;
- the improvements, services, and activities to be funded for each year of operation, along with the maximum cost;
- the total annual amount to be expended, in each year of operation, for improvements, services, activities, maintenance, and operations;
- the proposed source(s) of financing, including the basis and method of levying the assessments, and whether or not bonds will be issued;
- the time and manner of collecting the assessments;
- the specific number of years in which the assessments will be levied;
- the time for implementation and completion of the Management District Plan;
- the rules and regulations applicable to the community or business improvement district; and
- a listing of the properties to be assessed along with the parcel number and the method by which expenses will be imposed upon benefitted real property in proportion to the benefit received.

## **CBD Name Designation**

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The name designation of this proposed district for the City of San Francisco’s Ocean Avenue area is the Ocean Avenue Community Benefits District (“Ocean Avenue CBD”).

## **Ocean Avenue CBD Boundary**

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The properties located within the Ocean Avenue CBD boundaries represent a dynamic mix of land and development uses. There is a combination of commercial, retail, educational, non-profit, public and residential uses represented. The variety of land uses creates a unique and diverse corridor that plays into the vibrant activity and economic development of the Ocean Avenue area.

The boundaries of the Ocean Avenue CBD include those properties that front Ocean Avenue from Manor Drive on the west running along Ocean Avenue to Interstate 280. Properties lying outside of this area are predominately residential neighborhoods. The Ocean Avenue CBD will not provide services and activities to those outlying properties. Within the Ocean Avenue CBD, there are two separate benefit zones established in order to reflect the different levels of service provided.

### **Zone 1**

The primary zone, Zone 1, includes properties fronting the northern side of Ocean Avenue from Manor Drive on the west to Phelan Avenue on the east. Zone 1 includes The Phelan Loop Parcel number 3180-001 which is undergoing a major redevelopment and is expected to be subdivided into various parcels in the near future. The portion of the Phelan Loop Parcel number 3180-001 dedicated for use by the Public Utilities Commission for future Emergency Water Storage is exempt from assessment within the Ocean Avenue CBD as it will not benefit from Ocean Avenue CBD services and does not have fronting sidewalk along Ocean Avenue or near the corner of Ocean Avenue and Phelan Avenue. Zone 1 also includes the properties fronting the south side of Ocean Avenue from Victoria Street on the west to Geneva Avenue on the east. There are currently 145 properties located within Zone 1. The properties consist of a variety of different land use types such as commercial, non-profit, religious, public, and residential.

### **Zone 2**

Zone 2 includes three properties located east of Geneva Avenue and Phelan Drive to Interstate 280; designated as Assessor's Parcels 3179-010, 6946-061, and 6948-023. The three properties in Zone 2 include the portion of the San Francisco City College Ocean Avenue campus and Lick Wilmerding High School that front Ocean Avenue, and a City owned median, landscaped property located at the intersection of Ocean Avenue and Geneva Avenue. Zone 2 does not include any of the Assessor's Parcels within Assessor's Block 6947. In comparison to Zone 1, Zone 2 receives a reduced level of improvements, services, and activities.

The "Description of Improvements, Services, and Activities" section of this Management District Plan provides further details of the different services and activities provided to each benefit zone.

Appendix A of this report provides a map of the boundaries, as well as the identification of each parcel within the Ocean Avenue CBD.

## **Ocean Avenue CBD Duration**

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The initial term for the Ocean Avenue CBD is set for a period of 15 years. Beginning with Fiscal Year 2010/11, the City will levy and collect Ocean Avenue CBD assessments through Fiscal Year 2024/25. After the Fiscal Year 2024/25 final assessment billing, the property owners have the ability to renew the Ocean Avenue CBD for an additional term of up to 15 years.



## **Timeline for Implementation and Completion of the Ocean Avenue CBD**

The timeline in table 1 provides for the establishment of the Ocean Avenue CBD and allows sufficient time to calculate and include the Fiscal Year 2010/11 assessments on the County's secured property tax roll. Given various considerations and time constraints, the proposed timeline for the establishment and implementation of the Ocean Avenue CBD is as follows:

**Table 1: Proposed Timeline**

<b>Task Description</b>	<b>Estimated Completion Date</b>
Present Draft Management District Plan	January 2010
Present Final Draft District Management Plan, Boundary Map, Engineer's Report	March 2010
Gather Petitions in Support of Ocean Avenue CBD, Conduct Outreach Receive Additional Feed Back on Plan	March – August 2010
Submit Petitions to Board of Supervisors	September 2010
Board of Supervisors Vote on Resolution of Intention to Establish District	September 2010
Proposition 218 Ballot Packages Submitted to Property Owners	September- October 2010
Conduct Public Hearing, Tabulate Ballots, Board of Supervisors Vote on Resolution Establishing District	November 2010
CBD Management Corporation Established	December- 2010
Assessments Submitted to County for Billing	November 2010
Administration and District Operation Commences	January 2011

## **DESCRIPTION OF IMPROVEMENTS, SERVICES, AND ACTIVITIES**

Under the leadership of the CBD Management Corporation, the Ocean Avenue CBD plans to implement and fund two principal programs; a Cleaning, Maintenance, and Safety program and a Marketing, Streetscape, and Beautification program.

### **Cleaning, Maintenance, and Safety**

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#### Objectives

The Ocean Avenue CBD plans to supplement services already provided by the Department of Public Works and other relevant City agencies. The comprehensive program aims to ensure owner, merchant, resident, and visitor safety while providing for the maximum possible cleanliness of sidewalks, curbs, fixtures, landscaping, and buildings throughout the Ocean Avenue CBD boundaries. Through the utilization of managed services, the Cleaning, Maintenance, and Safety program will strive for a safe, clean, and litter-free area that is absent of graffiti or other signs of decay. The goal is for property owners, merchants and residents alike to maintain a sense of pride in the Ocean Avenue area. Cleanliness is crucial to the establishment and growth of an aesthetically pleasing, safe, and vibrant community.

#### Service Outline

The Ocean Avenue CBD's Cleaning, Maintenance, and Safety program includes regular sidewalk sweeping, refuse removal, regularly scheduled steam cleanings, pressure washing, graffiti removal, tree pruning and watering, tree well weeding with crushed granite replenishment, and a variety of safety efforts.

The program will work with residents, merchants, and youth on a variety of safety programs and strategies. After meeting with property owners and merchants about the Ocean Avenue CBD, there were interests in furthering efforts for crime prevention and pedestrian safety on Ocean Avenue. The CBD Management Corporation will continue to collaborate with the San Francisco Police Department and work with the community on safety programs. The Ocean Avenue CBD will provide assistance to visitors, and provide street population ambassadors/guides/security that promotes citizen efforts through assistance in crime prevention, way-finding, and assisting homeless with social services information.

A team of maintenance and safety workers will carry out these tasks, as more fully described in Table 2 following the Marketing, Streetscape Improvements, and Beautification section.

### **Marketing, Streetscape Improvements, and Beautification**

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In order to promote the unique character of the Ocean Avenue district and to help the district compete in an urban market setting, the Ocean Avenue CBD will provide programs for marketing, promotions, streetscape improvements, and beautification. The Marketing, Streetscape Improvements, and Beautification program intends to ensure both the continuity of existing services as well as new initiatives designed to promote both stability and growth within the area.

#### Objectives

The Ocean Avenue CBD stakeholders determined that marketing activities would improve Ocean Avenue's image, appeal, and visibility. The marketing activities will promote the Ocean Avenue CBD, properties, and businesses through specially targeted programs and initiatives. In addition, the marketing activities will contribute to the economic vitality of the area, and help with the recruitment and retention of businesses. Stakeholders view marketing activities as especially useful and necessary during a time of serious economic downturn, as is currently the case, but these services can also help the area stabilize itself and grow during prosperous economic times.

One initiative will support the creation and production of special events that draw visitors into the Ocean Avenue area as a means of additional exposure. Some of the proposed special events include holiday events and monthly concerts throughout the year. The Ocean Avenue CBD will program special events and conduct marketing activities in various parts of the district including hosting regular events and district promotion at the Phelan Loop public plaza, which is under development. The Phelan Loop public plaza will link the existing commercial district to persons working and studying at the expanded City College campus and living in the 250 units of new housing which are under development. Due to these developments which are underway, thousands of new people will be coming to the Ocean Avenue commercial district. The Ocean Avenue CBD marketing and promotion services will make sure new visitors, employees, students and residents know where to shop and eat and will help them enjoy their experience along Ocean Avenue.

The CBD Management Corporation plans to include other marketing initiatives as appropriate, and as budget resources allow.

Advocacy

The purpose of advocacy within the Marketing, Streetscape Improvements, and Beautification program is to promote the Ocean Avenue CBD as a clean, safe, and vibrant area for businesses, visitors, and residents while also supporting business growth. Advocacy goes well beyond marketing programs that create image and visibility. In fact, advocacy activities can include services like advocating for business technical assistance resources, and representing district interests in citywide forums, to name a few.

**Table 2: CBD Services by Benefit Zone**

<b>CBD Services, Improvements &amp; Activities</b>	<b>Benefit Zone 1</b>	<b>Benefit Zone 2</b>
<b>Cleaning, Maintenance, and Safety</b>		
<b>Cleaning</b>		
<ul style="list-style-type: none"> <li>▪ Sidewalk cleaning including but not limited to steam cleanings, sweeping, hot water scrubbing and cleaning of the Municipal Railway boarding islands and the Phelan Loop Bus Turn-Around Pedestrian lay over areas</li> </ul>	2 steam cleanings, spot cleaning as needed per year	Regular as needed
<ul style="list-style-type: none"> <li>▪ Graffiti removal</li> </ul>	within 24 hours	N/A
<ul style="list-style-type: none"> <li>▪ Paint over major graffiti attacks (ground or 2nd floor)</li> </ul>	Approx 6 per year	N/A
<ul style="list-style-type: none"> <li>▪ Sidewalk, gutter, and tree well sweeping and trash removal</li> </ul>	Daily	3 days per week
<ul style="list-style-type: none"> <li>▪ Utility pole/box flyer, mastic tape, and graffiti removal</li> </ul>	As required	As required
<b>Trees and Greening</b>		
<ul style="list-style-type: none"> <li>▪ Tree well weeding</li> </ul>	Quarterly	Quarterly (and within 10 feet of sidewalk)
<ul style="list-style-type: none"> <li>▪ Crushed granite replenishment</li> </ul>	As Needed	As needed
<ul style="list-style-type: none"> <li>▪ Small tree pruning</li> </ul>	20-36 times per year	10-18 times per year
<ul style="list-style-type: none"> <li>▪ Large tree pruning</li> </ul>	6-12 times per year	3-6 times per year
<ul style="list-style-type: none"> <li>▪ Tree watering</li> </ul>	Every 3 weeks during dry season	N/A
<ul style="list-style-type: none"> <li>▪ Tree trunk graffiti removal (soapy water and wire brush)</li> </ul>	As Needed	N/A
<ul style="list-style-type: none"> <li>▪ Gardening and Maintenance of Phelan Loop Corner Landscaped Public Garden</li> </ul>	Trash removal, landscaping	Weekly

<b>CBD Services, Improvements &amp; Activities</b>	<b>Benefit Zone 1</b>	<b>Benefit Zone 2</b>
	maintenance, plant replacement	
▪ Landscape Maintenance Phelan Bus Turn-Around	Monthly landscape maintenance	
<b>Corridor Safety</b>		
▪ Provide assistance to visitors, and provide street population ambassadors/guides/security that promotes citizen efforts through assistance in crime prevention, way-finding /homeless with social services information. Continued collaboration with SFPD on crime prevention and pedestrian safety.	Schedule to be determined	Schedule to be determined
<i>**The services listed above are included in the proposed plan, but the plan is not limited to only these services</i>		
<b>Marketing, Streetscape Improvements, and Beautification</b>		
▪ Advocacy	To be determined	N/A
▪ Beautification	To be determined	N/A
▪ Capital improvements	To be determined	N/A
▪ Business retention activities	To be determined	N/A
▪ Business Attraction	To be determined	N/A
▪ Newsletters, advertisements, brochures, & website	To be determined	N/A
▪ Holiday decorations	Yearly	N/A
▪ Concerts, street festivals and other special events	To be determined	N/A
▪ Banners and other public art	To be determined	N/A
<i>**The services listed above are included in the proposed plan, but the plan is not limited to only these services</i>		

## **Management and Operations**

The Ocean Avenue CBD's effectiveness in forming and maintaining relationships with the community is a vital component to the success of the Ocean Avenue CBD. A strong community relations effort emphasizes the importance of positive relationships within the Ocean Avenue area and encourages maximum community involvement. Active corridor management will also afford the opportunity to garner other material and financial support for the Ocean Avenue corridor.

Regular activities, initiatives, resources that support this task include:

- A dedicated Ocean Avenue part-time executive director who will serve as a focal point person and advocate for the district
- Office expenses including accounting, rent, utilities, office supplies, insurance, legal, and other professional services
- Grant applications and facilitation, including safety related efforts.

## **Existing City Services**

The City currently provides services to the Ocean Avenue CBD area. The improvements, services, and activities funded by the Ocean Avenue CBD assessment revenue are in addition to those services currently provided by the City. The following table provides the existing services provided to the Ocean Avenue CBD area. By adopting this plan, the Board of Supervisors will confirm and continue to guarantee a level of City service equivalent to the levels provided in similar areas of the City.

Table 3: Existing Services Provided by City

Service	Primary City Department Provider(1)	Frequency
<b>Maintenance:</b>		
Sidewalk sweeping/litter pick-up	DPW Litter Patrol	Property owner or ground floor tenant responsible for every day – DPW can ticket for litter.
Gutter sweeping	DPW	Call 311 for a service request. Cost is \$320 per day when reported.
Cleaning & Repair street furniture	DPW	Call 311 for a service request. Does not include enclosed bus stops
Cleaning bus boarding islands	Comcast	As needed, Call 311 for a service request
Cleaning bus shelter	Comcast	As needed, Call 311 for a service request
Maintain trees, shrubs, groundcover on public property	DPW (BUF, BSCS)	Watering: younger trees (3 years or less) get 15 gallons of water a week. Palms watered during the warm period (Sept-Oct). Basin Cleaning: Usually complaint driven, trees subject to annual inspection; but there is no set schedule.
Tree well maintenance (litter and garbage removal)	DPW litter patrol	Only during Clean Team events or if BUF is pruning.(2)
Pressure/Power Washing Sidewalks Around Trash cans Only	DPW	During Eco-blitzes (3), and when 311 calls for service are placed
Tree Pruning/staking	DPW (BUF)	Pruning: is on a 5-7 regular year schedule, or is complaint based.
Tree Fertilizing and Soil Testing	DPW (BUF)	If necessary, is not recommended for Ocean Avenue trees; fertilizing if necessary
Sidewalks Repair/Damage Enforcement	DPW	DPW in charge of inspection and citations. Fronting property owner or merchant in charge of repair.
Maintenance and Repair of Street Lighting (bulbs)	PUC	As needed, Call 311 for a service request
Street Light Poles	MTA	As needed, Call 311 for a service request
Trash Receptacles/Street Furniture/Utility Boxes	DPW for receptacle maintenance	Call 311 for a service request.
Mechanical Street Sweep	DPW	Split – Wednesday 7-8 am on South Side, on Monday 7-8 am on North Side
<b>Graffiti Removal:</b>		
On street furniture/Utility Boxes	DPW	Call 311 for a service request.
On bus shelters/Boarding Islands	Comcast	As needed, Call 311 for a service request.
<b>Trash Receptacle:</b>		
Emptying Trash Receptacles	DPW/NorCal	Sunset Scavenger will have more info
Repairs/maintenance	DPW	Call 311 for a service request.
Cleaning/washing	DPW	Call 311 for a service request.
<b>Code enforcement:</b>		
<b>Safety:</b>		
Radio Cars	SFPD	
Beat Officers (walking)	SFPD	½ time beat officer, no direct schedule on Ocean Avenue

- (1) Department of Public Works (DPW), Bureau of Urban Forestry (BUF), Bureau of Street Cleaning Services (BSCS), Public Utilities Commission (PUC), Municipal Transportation Authority (MTA), Department of Public Health (DPH), and San Francisco Police Department (SFPD).
- (2) Tree well maintenance (litter and garbage removal): If tree is not city owned, City can cite property owner if the tree well is not maintained. City can cite property owner even if it is a city owned tree, as the property owner is also responsible for the tree well litter and garbage.
- (3) During City Sponsored Eco-blitz clean up and enforcement drives.

## **ANNUAL AMOUNT TO BE COLLECTED & EXPENDED**

The maximum annual budget presented below represents the costs for providing the improvements, services, and activities within the Ocean Avenue CBD that are in addition to those services already provided by the City.

Beginning in Fiscal Year 2010/11, the maximum annual budget amount for the Ocean Avenue CBD is as follows:

**Table 4: Budget and Revenue – Year 1**

<b>Budget Description</b>	<b>2010/11 Maximum Budget Amount</b>	<b>% of Total Budget</b>
Cleaning, Maintenance, and Safety Program	\$125,000	52%
Marketing, Streetscape Improvements, and Beautification Program	43,658	18%
Management and Operations	63,000	26%
Contingency and Reserves	10,340	4%
<b>Total 2010/11 Maximum Budget:</b>	<b>\$241,998</b>	<b>100%</b>

<b>Annual Revenue Description</b>	<b>2010/11 Annual Revenue Amount</b>	<b>% of Total Annual Revenue</b>
Assessment Revenue	\$239,578	99%
Other Revenue(1)	2,420	1%
<b>Total 2010/11 Annual Revenue</b>	<b>\$241,998</b>	<b>100%</b>

(1) Comprised of additional funds generated from sources such as, grants, donations, and fees for service contracts and in kind donations.

During any future year of operation, the CBD Management Corporation may re-allocate funds from one budget category to another budget category. However, the annual re-allocation of budget category amounts shall not exceed or decrease more than 10% of the previous Fiscal Year's approved budget category amount.

The Fiscal Year 2010/11 total maximum assessment revenue is subject to an annual increase. The maximum annual assessment revenue increase will reflect the annual change in the March Consumer Price Index for All Urban Consumers in San Francisco-Oakland-San Jose ("CPI") or 3%, whichever is less. In no event shall the annual assessment revenue increase be less than zero (i.e., decreased). Note however, that this is the maximum annual assessment revenue and the actual amount assessed to properties may be less than this maximum, depending on desires of the Ocean Avenue CBD and its stakeholders and the Ocean Avenue CBD assessments will not be increased for the first three years of establishment, from 2010/11 through 2012/13.

Based upon a maximum possible annual assessment increase of 3%, beginning July 1, 2013, the total annual maximum assessment revenue each year for each of the 15 years is described in Table 5.

**Table 5: Maximum Assessment Revenue**

<b>Fiscal Year</b>	<b>Total Maximum Annual Assessment Revenue(1)</b>
2010/11	\$239,578
2011/12	239,578
2012/13	239,578
2013/14	246,765
2014/15	254,168
2015/16	261,793
2016/17	269,647
2017/18	277,737
2018/19	286,069
2019/20	294,651
2020/21	303,490
2021/22	312,595
2022/23	321,973
2023/24	331,632
2024/25	341,581
<b>Total Maximum Assessment Revenue</b>	<b>\$4,220,835</b>

(1) The total maximum amount assessed to property owners within the Ocean Avenue CBD each Fiscal Year.

## **METHOD OF ASSESSMENT**

### **Source(s) of Financing**

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The levy and collection of annual assessments upon property within the Ocean Avenue CBD provides the primary funding source for the improvements, services, and activities previously outlined. The CBD Management Corporation can generate additional funds from sources other than annual assessments on properties within the Ocean Avenue CBD. These funds may include grants, donations, fees for service contracts, and in kind donations.

The Ocean Avenue CBD will not issue bonds to fund any of the improvements, services, and activities provided by the Ocean Avenue CBD.

### **Definitions**

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"Assessor's Data" – The street frontage, total square footage, structure square footage, or other Assessor's Parcel information contained in the records of the County Assessor.

"Assessor's Parcel" - A lot or parcel of land designated on an Assessor's Parcel Map with an assigned Assessor's Parcel number within the boundaries of the Ocean Avenue CBD.

"Assessor's Parcel Map" - An official map of the Assessor of the County designating Assessor's Parcels by Assessor's Parcel number.

"Building Square Foot(age)" - The total commercial structure square footage as shown in the Assessor's Data for each Assessor's Parcel, or other sources deemed reliable. If a building permit for new construction is issued as of June 30 of the previous Fiscal Year, the total commercial square footage for the Assessor's Parcel will be the amount as shown on the building permit; an increase in the annual assessment, if any, will not be considered an assessment increase per the 1994 Act or Proposition 218.

"CBD Management Corporation" - The Ocean Avenue CBD will be managed by a new non profit 501c3 organization (the "CBD Management Corporation") to be formed following the approval of the establishment of the Ocean Avenue CBD. The CBD Management Corporation serves as a private, nonprofit entity that is under contract with the City to administer or implement the improvements, services, and activities specified in the Management District Plan and including activities provided in the articles of incorporation and by-laws of the corporation.

"Commercial Property Use" – Assessor's Parcels or portions of Assessor's Parcels within the boundaries of the Ocean Avenue CBD of a commercial nature that are not used for Residential, Non-Profit Service Organization, Religious Institutional, Educational Institutional, or Public purposes.

"County" – The City and County of San Francisco, State of California.

"Educational Institutional Property Use" – Assessor's Parcels or portions of Assessor's Parcels within the boundaries of the Ocean Avenue CBD that provide public or private educational services including City College of San Francisco and Lick Wilmerding High School.

"Fiscal Year" - The period commencing on July 1 of any calendar year and ending June 30 of the following calendar year.

"Linear Street Frontage" or "Linear Street Foot(Feet)" - The street frontage of the Assessor's Parcel on Ocean Avenue within the District. The street frontage shall be based upon information as shown on the Assessor's Parcel Map, or other sources deemed reliable.



"Lot Size" or "Lot Square Foot(age)" - The total square footage of the lot as shown on the Assessor's Parcel Map or in the Assessor's Data for each Assessor's Parcel.

"Non-Profit Service Organization Property Use" – Assessor's Parcels or portions of Assessor's Parcels within the boundaries of the Ocean Avenue CBD occupied with uses designated as non-profit service organizations and afforded a federal tax-exempt status. Does not include retail stores, or second hand shops set up for the purposes of raising funds for a non profit service organization.

"Religious Institutional Property Use" – Assessor's Parcels or portions of Assessor's Parcels within the boundaries of the Ocean Avenue CBD designated for the use of religious institutional purposes. Does not include retail stores, or second hand shops set up for the purposes of raising funds for a religious institution.

"Phelan Loop Parcel" -The Phelan Loop Parcel number 3180-001 is undergoing a major redevelopment and is expected to be sub-divided into various parcels in the near future. The project under development consists of a new public plaza and the re-configuration of a multi-line MUNI bus transit turnaround, a new mixed-use housing and retail development, an expanded City College campus, upgrades to the existing fire station, an expansion of Lee Avenue, a reconfigured emergency water reservoir area and possibly new reservoir facilities and new open recreation fields. The new plaza, featuring improved pedestrian and public amenities and space for public events, will provide a public open space to connect thousands of pedestrians and transit riders to the multi-line bus turnaround, to the planned new housing development, to the planned City College new expanded campus, and to the Ocean Avenue neighborhood commercial district.

Currently parcel number 3180-001 is used for multiple purposes, including the Municipal Transportation Agency bus turnaround and waiting area, parking lots, a fire station, open space/landscaped areas, Public Utility Commission empty water reservoirs, and City College.

When Assessor's Parcel 3180-001 rennumbers, consolidates, and/or subdivides, the Phelan Loop Parcel shall be identified by the subsequent Assessor's Parcel number(s) assigned to that portion of land fronting Ocean Avenue, Phelan Avenue, or the new Phelan Loop public plaza, encompassing the current bus turnaround area, and the open space on the corner of Ocean Avenue, the fire station, and City College. If the Phelan Loop Parcel's land use changes to a land use to something other than the current land use, the Assessor's Parcel will be assessed according to the updated land use and land configuration. An increase in the annual assessment from the land use change, if any, will not be considered an assessment increase per the 1994 Act or Proposition 218.

"Public Property Use" - Assessor's Parcels or portions of Assessor's Parcels within the boundaries of the Ocean Avenue CBD owned by a public agency such as: open space areas, public transit areas, public parking facilities, public libraries, and fire stations, provided that any property leased by a public agency to a private entity and subject to the assessment under the 1994 Act shall be assessed and classified according to its use.

"Residential Property Use" – Assessor's Parcels or portions of Assessor's Parcels within the boundaries of the Ocean Avenue CBD used for residential purposes.

## **Basis of Assessment**

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The benefits provided to real property within the Ocean Avenue CBD relate to the improvements, services, and activities carried out by the CBD Management Corporation and more fully described in the "Description of the Improvements, Services, and Activities" section of this Management District Plan.

Assessor's Parcels within the Ocean Avenue CBD display a unique usage (combined retail, restaurant, commercial, residential, etc.) that comes in a wide variety of parcel sizes, building sizes, shapes, and formats. These configurations make it difficult to use a standardized formulaic approach in assigning special benefit and determining the proportional assessment. In an effort to enhance the image and desirability of the Ocean Avenue CBD area, the CBD Management Corporation intends to provide additional levels of cleaning, maintenance, and safety services along a portion of Ocean Avenue above the existing services already provided by the City. Currently, any desired services and activities above the City's baseline levels are the financial responsibility of the individual property owners.

To maintain an overall cleanliness for visitors, residents, and merchants on the corridor, the Cleaning, Maintenance, and Safety services will include, but are not limited to, sidewalk and Municipal Railway island cleaning, graffiti removal, trash removal, and maintenance of trees along the corridor. Safety for visitors, merchants, residents on the corridor has continued to be a concern on the corridor. Safety includes crime prevention and pedestrian safety. There will be continued collaboration with the San Francisco Police Department on Ocean Avenue. The Ocean Avenue CBD will provide assistance to visitors, and provide street population ambassadors/guides/security that promotes citizen efforts through assistance in crime prevention, way-finding, and assisting homeless with social services. The Ocean Avenue CBD will also be an advocate for more pedestrian safety in the Ocean Avenue CBD area and promoting walkable streets through events. Cleaning, Maintenance and Safety services and their frequencies of these services are summarized in Table 2.

To combine property owner efforts and achieve certain economies of scale, assessment revenue collected from Ocean Avenue CBD property owners will provide the necessary funding for the proposed Cleaning, Maintenance, and Safety program services and activities. To recognize the linear benefits received from the enhanced services and activities the Cleaning, Maintenance, and Safety program portion of the annual budget the budget is allocated based on the parcel's Linear Street Frontage assigned. Further, the zone location for each parcel takes into account the levels of benefit received from the enhanced services and activities unique to each zone.

County Assessor Parcel Maps provided the Linear Street Frontage for each Assessor's Parcel. The property owner will confirm the Linear Street Frontage assigned to his or her property. The assessment notice and petition provided to each benefiting property owner will include each Assessor's Parcel's assigned information. Assessor's Parcels that do not have direct street frontage, as a result of being located on a floor other than the ground floor, are assigned Linear Street Frontage based upon their portion of the entire building's assigned Linear Street Footage and land use.

#### Zone 1 Non-profit and religious organizations

Throughout Zone 1, properties with non-profit service organization or religious institutional land use designations will receive a reduced level of Cleaning, Maintenance, and Safety program services for the corresponding street frontage for these properties. These designated property uses will receive approximately 75% of the sidewalk sweeping, refuse removal, steam cleanings, and pressure washing service levels that other Zone 1 properties receive. To account for the reduction in benefit of the Non-Profit Service Organization Property Use and Religious Institutional Property Use, from the Cleaning, Maintenance, and Safety program activities; the Linear Street Frontage assessment rate for Non-Profit Service Organization Property Use and for Religious Institutional Property Use is 75% of the Zone 1 Linear Street Frontage assessment rate applied to all other land uses.

#### Zone 2 Assessments

Zone 2 receives reduced Cleaning, Maintenance, and Safety program services from that which is provided throughout Zone 1. The specific service programs and the frequency of those service programs provided to Zone 2 only are summarized in the Description of Improvements, Services, and Activities section of this report. The special benefit and service levels from the enhanced Cleaning, Maintenance, and Safety program provided to Zone 2 is approximately 50% of the level of Ocean Avenue CBD services provided to Zone 1. Therefore, to account for the reduced service levels and

the amount of Linear Street Frontage assigned in Zone 2 as compared to Zone 1, approximately 10% of the Cleaning, Maintenance, and Safety program total budget is allocated to Zone 2. The annual assessment rate for parcels located in Zone 2 is based upon their portion of the Cleaning, Maintenance, and Safety program budget and the total Linear Street Frontage assigned to Assessor's Parcels in Zone 2.

Based upon the 2010/11 County secured roll information, the total Linear Street Frontage for the Ocean Avenue CBD is 7,556 Linear Street Feet. The Linear Street Frontage assigned to Zone 1 is 6,023 Linear Street Feet and the Linear Street Frontage assigned to Zone 2 is 1,533 Linear Street Feet. The Assessment Roll in Appendix B provides a breakdown of the Linear Street Frontage assigned for each Assessor's Parcel.

Marketing, Streetscape Improvements, and Beautification program services are essential to encourage business development and retention, minimize property vacancies, and persuade visitors to come to the Ocean Avenue area to shop, dine, and conduct business. A well marketed and attractive area provides property owners with the ability to achieve the highest and best use of the property, and generate a greater demand for available space. Some of the plans to increase the market awareness of the Ocean Avenue area includes: creating a greater draw of visitors through special events and targeted marketing promotions, holiday decorations, and positioning the Ocean Avenue area more competitively. Given the types of planned marketing programs and activities, it is determined that Commercial Property Uses will receive a direct special benefit as will parcels that front the Phelan Loop public plaza under development where many special events and marketing activities will take place. The marketing assessment is assigned to those properties, or portions of properties, designated as commercial use only.

Various activities in the Marketing, Streetscape Improvements, and Beautification services promote foot traffic, patrons to shop and dine in the Ocean Avenue CBD area and create safer streets. Marketing activities include newsletters, advertisements, brochures, and Ocean Avenue CBD website will promote events and help bring in more patrons to the local businesses. Yearly holiday decorations on Ocean Avenue could expand with more decorations and activities. Other events on the corridor would include concerts, street festivals and other special events throughout the year. Programming and activation services for some of these events will occur at the Phelan Loop public plaza.

Streetscape improvements and beautification such as capital improvements, street furniture, public art and spaces, and streetscape greening are examples the CBD Management Corporation can incorporate in their activities. Advocacy on safety issues with streetscape improvements goes beyond marketing programs that create image and visibility. Advocacy activities include services to advocate resources for businesses, pedestrian safe streets for the neighborhood, and representing the district interests in citywide forums. These services and their frequencies are summarized in Table 2.

The primary goal of the Marketing, Streetscape Improvements, and Beautification program is to increase the desirability of existing space, both building and property, throughout the Ocean Avenue CBD. The marketing assessments are based upon commercial properties proportional special benefit received from the enhanced services, which will provide the necessary funding to carry out the Marketing, Streetscape, and Beautification program activities. To recognize the special benefits that will maximize the desirability of existing and future building space, as well as lot area, the Marketing, Streetscape Improvements, and Beautification program annual budget is allocated based on a combination of both building size and lot size. In order to equitably blend the two property characteristics of building size and lot size, the Marketing, Streetscape Improvements, and Beautification program budget is allocated 75% based on building size and 25% based on lot size.

Based upon the 2010/11 County secured roll information, the total Building Square Footage for commercial properties is 353,420 square feet. The Lot Square Footage for commercial properties is 508,006 square feet. The Assessment Roll in Appendix B provides a breakdown of the Building

Square Footage and Lot Square Footage assigned for each commercial Assessor's Parcel in the Ocean Avenue CBD.

#### Zone 1 Phelan Loop Parcel

The Phelan Loop Parcel number 3180-001 is undergoing a major re-development and is expected to be subdivided into various parcels in the near future. The project under development consists of a new public plaza and the reconfiguration of a multi-line MUNI bus transit turn-around, a new mixed-use housing and retail development, an expanded City College campus, upgrades to the existing fire station, an expansion of Lee Avenue, a reconfigured emergency water reservoir area and possibly new reservoir facilities and new open recreation fields. The new plaza, featuring improved pedestrian and public amenities and space for public events, will provide a public open space to connect thousands of pedestrians and transit riders to the multi-line bus turnaround, to the planned new housing development, to the planned City College new expanded campus, and to the Ocean Avenue neighborhood commercial district.

Currently, parcel number 3180-001 is used for multiple purposes, including the Municipal Transportation Agency bus turnaround and waiting area, parking lots, a fire station, open space/landscaped areas, Public Utility Commission empty water reservoirs, and City College. All of the sidewalks fronting the Phelan Loop Parcel and Phelan Loop reconfigured parcels along Ocean Avenue and the sidewalk area wrapping around to Phelan Avenue in front of the corner landscaped garden area and in front of the proposed Bus turnaround's Phelan Avenue edge will receive cleaning and maintenance services, and will be assessed on the length of the linear frontage of the fronting sidewalk. The sidewalks fronting the proposed expanded City College Campus area along Phelan Avenue will not receive Ocean Avenue CBD services and will not be assessed on their linear frontage.

The MUNI bus turnaround will receive cleaning and landscaping services from the Ocean Avenue CBD and will be charged for the square footage internal to the site that will receive maintenance and cleaning services from the Ocean Avenue CBD.

The corner landscaped garden area of the Phelan Loop Parcel at Ocean Avenue will receive gardening and maintenance services from the Ocean Avenue CBD and its square footage will be subject to an additional assessment to pay for this additional level of service.

The Phelan Plaza will link the existing commercial district to persons working and studying at the expanded City College campus and living in the 250 units of new housing which are under development. Due to these developments which are underway, thousands of new people will be coming to the Ocean Avenue commercial district. The Ocean Avenue CBD will host and manage special events at the Phelan Loop public plaza which is under development. The Ocean Avenue CBD marketing and promotion services will make sure new visitors, employees, students and residents know where to shop and eat and will help them enjoy their experience along Ocean Avenue and at the public plaza. City College, the adjacent housing development and ground floor retail fronting the plaza will benefit from an activated, safe and maintained plaza at the entrance to their properties therefore their lot size will be assessed to help fund the plaza activation and management services. Commercial building square footage and lot square footage will be assessed to fund the marketing, special event and promotion services within the entire Ocean Avenue CBD area including special events at the Phelan Plaza as well. The Ocean Avenue CBD will work with City College and the housing owner's property management company and City departments to ensure the plaza is safe, regularly maintained and cleaned.

#### Exempted Uses within the Phelan Loop Parcel

The land dedicated for use by the Public Utilities Commission for future Emergency Water Storage will be exempt from assessment within the Ocean Avenue CBD as it will not benefit from Ocean Avenue CBD services and does not have fronting sidewalk along Ocean Avenue or near the corner of Ocean Avenue and Phelan Avenue.

The current assessable portion of the Phelan Loop Parcel Linear Street Frontage is 405.00 linear feet. The current assessable portion of the Phelan Loop Parcel Lot Square Footage is 7,632 square feet.

When Assessor's Parcel 3180-001 renumbers, consolidates, and subdivides that parcel shall be identified with subsequent Assessor's Parcel number(s) assigned to their respective portions of land. When the Phelan Loop Parcel developments are constructed the new reconfigured Assessor's Parcels will be assessed according to their updated land use. An increase in the annual assessment, if any due to the reconfigured parcels and new construction and development projects, will not be considered an assessment increase per the 1994 Act and Proposition 218. During construction, any portion of the Phelan Loop Parcel under construction will only be charged for linear frontage during construction that will receive cleaning services from the Ocean Avenue CBD during construction. Phelan Loop parcels under construction and not in active use will not be charged for building square footage or lot square footage assessments until construction of the new development is completed.

#### General Benefits to the Public

Although the improvements, services, and activities provided throughout the Ocean Avenue CBD incorporates public streets and rights of way, it is clear that the improvements, services, and activities provided are directed towards, and necessary for, the cleanliness and maintenance of the Ocean Avenue area, the safety of commercial and residential property tenants, property owners, visitors, as well as, the enhancement of the business environment, and the increased opportunities of the properties throughout the Ocean Avenue CBD. The Ocean Avenue CBD will not provide any of these improvements, services, and activities to properties located outside of the Ocean Avenue CBD boundaries. The CBD Management Corporation will use collected assessment revenue to pay for the enhanced improvements, services, and activities that are over and above the baseline services currently provided by the City. However, in assigning direct benefit, public access, use, or availability of these improvements, services, and activities by others was considered.

The general benefits to the public at large are minimal. Various CBDs around the City conducted surveys<sup>1</sup> to determine the likelihood of individuals passing through their boundaries without the intention of engaging in any type of commerce activity in the CBD. Of those surveyed, less than 1% indicated that they do not nor do they ever have the intention of engaging in any type of commerce regardless of any future BID programs and services provided. To account for this activity, 1% of the total annual budget is considered general benefit. Properties within the Ocean Avenue CBD are not assessed this 1% general benefit.<sup>2</sup> Further, the City will continue to provide the general baseline services within the Ocean Avenue CBD, consistent with the provision of baseline services in other similar areas of the City.

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<sup>1</sup> In 2009, the City along with the Greater Union Square BID and the West Portal CBD conducted streets surveys to determine the level of general benefit received from the improvements, services, and activities.

<sup>2</sup> This 1% is reflected in "Other Revenue" in the 2010/11 CBD budget.

## Assessment Calculation

**Table 6: Zone 1 Fiscal Year 2010/11 Assessment Calculation Rates**

Zone 1 - Assessment Category Description	Fiscal Year 2010/11 Assessment Rate
Linear Street Frontage for Assessor's Parcels designated as: Commercial Property Use Residential Property Use Public Property Use Phelan Loop Parcel and Reconfigured Parcel Uses	\$26.28 per Linear Street Foot
Linear Street Frontage for Assessor's Parcels designated as: Non-Profit Service Organization Property Use or Religious Institutional Property Use	\$21.00 per Linear Street Foot
Building Square Footage for Assessor's Parcels designated as: Commercial Property Use	\$0.111 per Building Square Foot
Lot Square Footage for Assessor's Parcels designated as: Commercial Property Use	\$0.0276 per Lot Square Foot
Lot Square Footage for Phelan Parcel Corner Landscaped Garden & Phelan Parcel Bus Turnaround	\$1.31 per Lot Square Foot
Lot Square Footage for Phelan Parcels Fronting and Accessed off of the Phelan Plaza* <i>*Will only take effect following the construction of the individual proposed developments including the Phelan Plaza, Phelan mixed use housing and expanded City College developments.</i>	\$0.0574 per Lot Square Foot

### Zone 1 Annual Assessment Calculation:

$$\begin{array}{l}
 \text{Linear Street Frontage Assessment} = \text{Assigned Linear Street Frontage} \times \text{Linear Street Frontage Assessment Rate} \\
 \text{Building Square Footage Assessment} = \text{Commercial Property Use Building Square Footage} \times \text{Building Square Footage Assessment Rate} \\
 \text{Lot Square Footage Assessment} = \text{Commercial Property Use Lot Square Footage} \times \text{Lot Square Footage Assessment Rate}
 \end{array}$$

### Zone 1 Assessor's Parcel Annual Assessment:

$$\text{Assessor's Parcel Annual Assessment} = \text{Linear Street Frontage Assessment} + \text{Building Square Footage Assessment} + \text{Lot Square Footage Assessment}$$

### Zone 1 Phelan Loop Parcel Annual Assessment:

$$\text{Phelan Loop Parcel Annual Assessment} = \text{Assigned Linear Street Frontage} \times \text{Linear Street Frontage Assessment Rate} + \text{Assigned Lot Square Footage} \times \text{Lot Square Footage Assessment Rate}$$

**Table 7: Zone 2 Fiscal Year 2010/11 Assessment Calculation Rates**

Zone 2 - Assessment Category Description	Fiscal Year 2010/11 Assessment Rate
Linear Street Frontage for Assessor's Parcels designated as: Educational Institutional Property Use Public Property Use	\$13.90 per Linear Street Foot

**Zone 2 Annual Assessment Calculation:**

$$\text{Linear Street Frontage Assessment} = \text{Linear Street Frontage} \times \text{Linear Street Frontage Assessment Rate}$$

**Zone 2 Assessor's Parcel Annual Assessment:**

$$\text{Assessor's Parcel Annual Assessment} = \text{Linear Street Frontage Assessment}$$

**Maximum Annual Assessments**

The Zone 1 Fiscal Year 2010/11 maximum annual assessment rates are as follows:

- Per Linear Street Foot (Commercial Property Use, Residential Property Use, Public Property Use, and Phelan Loop Parcel): \$26.28
- Per Linear Street Foot for (Non-Profit Service Organization Property Use, and Religious Institutional Property Use): \$21.00
- Per Commercial Property Use Building Square Foot: \$0.111
- Per Commercial Property Use Lot Square Foot: \$0.0276
- Per Phelan Loop Parcel Lot Square Foot: \$1.31

The Zone 2 Fiscal Year 2010/11 maximum annual assessment rate is as follows:

- Per Linear Street Foot (Educational Institutional Property Use and Public Property Use): \$13.90

**Maximum Annual Assessment Increases**

Beginning July 1, 2013, all maximum assessment rates are subject to an annual increase, if approved by a vote of the CBD Management Corporation. The maximum assessment rates will reflect the annual change in the March Consumer Price Index for All Urban Consumers in San Francisco-Oakland-San Jose or 3%, whichever is less. However, in no event shall the annual increase be less than zero. The maximum possible increase of 3% to the maximum assessment rates for the next 15 years is described in Table 8.

**Table 8: Maximum Annual Assessment Increases**

Fiscal Year	Zone 1 Linear Foot Rate(1)	Zone 1 Linear Foot Rate NPSO, RI (2)	Zone 1 Commercial Building Square Foot Rate	Zone 1 Commercial Lot Square Foot Rate	Zone 1 Phelan Loop Parcel Segment Lot Square Foot Rate	Zone 2 Linear Foot Rate(3)
2010/11	\$26.28	\$21.00	\$0.111	\$0.0276	\$1.31	\$13.90
2011/12	26.28	21.00	0.111	0.0276	1.31	13.90
2012/13	26.28	21.00	0.111	0.0276	1.31	13.90
2013/14	27.07	21.63	0.114	0.0284	1.35	14.32
2014/15	27.88	22.28	0.118	0.0293	1.39	14.75
2015/16	28.72	22.95	0.121	0.0302	1.43	15.19
2016/17	29.58	23.64	0.125	0.0311	1.47	15.65
2017/18	30.47	24.35	0.129	0.0320	1.52	16.12
2018/19	31.38	25.08	0.133	0.0330	1.56	16.60
2019/20	32.32	25.83	0.137	0.0339	1.61	17.10
2020/21	33.29	26.61	0.141	0.0350	1.66	17.61
2021/22	34.29	27.40	0.145	0.0360	1.71	18.14
2022/23	35.32	28.23	0.149	0.0371	1.76	18.68
2023/24	36.38	29.07	0.154	0.0382	1.81	19.24
2024/25	37.47	29.94	0.158	0.0394	1.87	19.82

(1) Includes Commercial, Residential, Public Property, and Phelan Loop Parcel Segment.

(2) Includes Non-Profit Service Organization, and Religious Institutional Property.

(3) Includes Public Property.

Regardless of the assessment amount actually levied each year (assessments may be levied at less than the maximum assessment rate), the maximum allowable assessment rates will increase as described above. Any increase in the actual amount of the assessment levied, as long as it does not exceed the maximum assessment for that Fiscal Year, is not considered an increase of the assessment as defined by Proposition 218.

### **Time and Manner of Collecting Assessments**

The City will levy and collect Ocean Avenue CBD assessments in the same manner and at the same time as ordinary *ad valorem* property taxes; except that for Fiscal Year 2010/11 only, the City will send out a separate direct bill to each property owner for payment of the assessment amount.

### **Engineer's Report**

The Ocean Avenue Community Benefits District Engineer's Report prepared in support of the Ocean Avenue CBD has been prepared as a separate document. Appendix C of this Management District Plan includes a copy of the Engineer's Report.



## **OCEAN AVENUE CBD MANAGEMENT**

### **Ocean Avenue CBD Term**

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Under the provisions of The Business Improvement Districts Procedure "Article 15", The San Francisco Business and Tax Regulations Code, the maximum number of years for a CBD is 15 years. Once the term expires, the stakeholders need to undertake proceedings to authorize the CBD for additional years.

The proposed initial term for the Ocean Avenue CBD is set at 15 years. The City will levy assessments beginning Fiscal Year 2010/11 up through and including Fiscal Year 2024/25. In order to authorize the levy and collection of assessments after Fiscal Year 2024/25, the Ocean Avenue CBD will need to go through the renewal process pursuant to the 1994 Act as augmented by Article 15.

### **Proposed Ocean Avenue CBD Rules and Regulations**

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The Ocean Avenue CBD will be managed by a new non profit 501c3 organization (the "CBD Management Corporation") to be formed following the approval of the establishment of the Ocean Avenue CBD. The CBD Management Corporation serves as a private, nonprofit entity that is under contract with the City to administer or implement the improvements, services, and activities specified in the Management District Plan.

The Board of Directors of the CBD Management Corporation must be comprised of at least 20% non property owning businesses per the Business Improvement Districts Procedure Code.

The CBD Management Corporation must comply with the Ralph M. Brown Act, commencing with Section 54950 of the Government Code, at all times when matters of the Ocean Avenue CBD are heard, discussed, or deliberated. The CBD Management Corporation will also comply with the California Public Records Act, commencing with Section 6250 of the Government Code, for all documents relating to the activities of the Ocean Avenue CBD.

The powers and responsibilities for the CBD Management Corporation are as follows:

- Review improvements, services, and activities provided and establish priorities for the upcoming Fiscal Year
- Implement the improvements, services, and activities specified in the Management District Plan by determining levels of improvements, services, and activities
- Submit an annual report to Board of Supervisors
- Coordinate with City staff regarding operational issues of the Ocean Avenue CBD
- Hold meetings no less frequently than once per year

Each year, the CBD Management Corporation shall prepare a report for the associated Fiscal Year, except the First Year for which assessments are levied and collected to pay the costs of the improvements, services, and activities described in the report. The report shall be due after the first year of operation of the Ocean Avenue CBD. The CBD Management Corporation will file a report with the Clerk of the Board that contains or provides the following:

- A reference to the Ocean Avenue CBD by name
- The Fiscal Year to which the annual report applies
- Any proposed changes in the boundaries, benefit zones or classification of property of the Ocean Avenue CBD
- The services, improvements, and activities to be provided for that Fiscal Year

- An estimate of the cost of providing the services for that Fiscal Year
- Any proposed changes to the basis and method of levying the assessments
- The method and basis of levying the assessment in sufficient detail to allow each property owner to estimate the amount of the assessment to be levied against his or her property for that Fiscal Year
- The amount of any surplus or deficit revenues to be carried over from a previous Fiscal Year
- The amount of any contributions to be made from sources other than assessments levied

The Board of Supervisors may approve the annual report filed by the Ocean Avenue CBD Management Corporation, or the Board of Supervisors may modify any particulars contained in the report, and then approve it as modified. Any modification to the annual report shall be made pursuant to Sections 36635 and 36636 of the 1994 Act.

However, the Board of Supervisors can not approve a change in the basis and method of levying assessments that would impair an authorized or executed contract to be paid from the revenues derived from the levy of assessments.

### **Additional Matters**

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The stakeholders formed the Ocean Avenue CBD after considerable outreach and careful research; based on information and sources deemed to be reliable. If a property owner thinks that the assessment has been calculated or applied in error, he or she must first contact the Ocean Avenue CBD Management Corporation to correct the property information used to calculate the assessment. If the property owner is not satisfied with the response, then he or she may request an assessment re-calculation from the City and County of San Francisco's Office of Economic and Workforce Development per the assessment formula included in the management plan.

#### Disestablishment

Each year that the Ocean Avenue CBD is in existence, there will be a 30-day period during which the property owners will have the opportunity to request disestablishment of the Ocean Avenue CBD. This 30-day period begins each year on the anniversary date the Board of Supervisors established the Ocean Avenue CBD. Within that 30-day period if a written petition is submitted by the owners of real property who pay 50% or more of the assessments levied, the Ocean Avenue CBD may be disestablished by the Board of Supervisors.

A majority (six members) of the Board of Supervisors may initiate disestablishment proceedings at any time based on improper actions by the CBD Management Corporation, such as misappropriation of funds, malfeasance, or violation of law.

A supermajority (eight members) of the Board of Supervisors may initiate disestablishment proceedings for any reason.

All outstanding indebtedness must be paid prior to disestablishment of the Ocean Avenue CBD.

## **Assessor's Parcel Listing**

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Appendix B of this report provides a listing of all of the Assessor's Parcels, including the Assessor's Parcel number, Owner, Benefit Zone, Linear Street Frontage, Commercial Property Building Square Footage, and Commercial Property Lot Square Footage subject to the Ocean Avenue CBD annual assessment.

The "Proposed Source(s) of Financing" section of this Management District Plan provides the assessment methodology used in determining each Assessor's Parcel's maximum annual assessment.

## **Delinquent Payments**

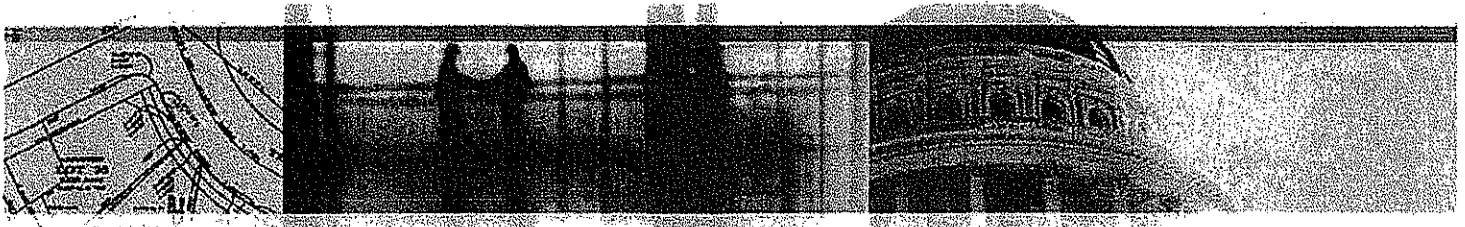
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The City will place the Ocean Avenue CBD assessments on the County annual secured property tax bills for regular collection at the standard due dates (due twice per year). The Ocean Avenue CBD assessment will appear as a separate line item on the property tax bill; except that for Fiscal Year 2010/11 only, the City will send out a separate direct bill to each property owner for payment of the assessment amount. The City will directly bill any Assessor's Parcels which do not regularly receive a property tax bill from the City.

All delinquent payments, including penalties and accrued interest, will be identified in the budgeted categories outlined in the "Total Annual Amount Proposed to be Expended" section of this report. The CBD Management Corporation will determine the budget allocation.

## **APPENDICES**

<b>Boundary Map</b>	<b>A</b>
<b>Assessor's Parcel Listing</b>	<b>B</b>
<b>Engineer's Report</b>	<b>C</b>



**City and County of San Francisco**

**Ocean Avenue  
Community Benefits District**

**Engineer's Report**

**March 2010**

*Submitted by*

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## ENGINEER'S LETTER

WHEREAS, pursuant to the Property and Business Improvement District Law of 1994 ("1994 Act"), augmented by Article 15 to the Business and Tax Regulations Code of the City and County of San Francisco Municipal Code it is proposed that the Ocean Avenue Community Benefits District be authorized for a term of 15 years, commencing July 1, 2010.

WHEREAS, this Engineer's Report presents the plans and specifications describing the improvements, services, and activities, an estimate of the costs of the improvements, services, and activities for the Ocean Avenue Community Benefits District for the referenced fiscal year, a diagram showing the area and properties to be assessed, and an assessment of the estimated costs of the improvements, services, and activities, assessing the net amount upon all assessable lots and/or parcels within the Ocean Avenue Community Benefits District in proportion to the special benefit received; and

NOW THEREFORE, the following assessment is to be authorized in order to pay the estimated costs of the improvements, services, and activities to be paid by the assessable real property within the boundaries of the Ocean Avenue Community Benefits District in proportion to the special benefit received. The following table summarizes the assessment.

### FISCAL YEAR 2010/11 SUMMARY OF ASSESSMENT

<b>Estimated Costs:</b>	
Total Estimated Annual Costs	\$242,631
Other Funding	(2,457)
<b>Total Estimated Annual Costs to be Assessed:</b>	<b>\$240,174</b>
<b>Maximum Assessment Amounts:</b>	
<b>Zone 1</b>	
Linear Street Frontage for Assessor's Parcels designated as: Commercial Property Residential Property Public Property	\$26.28 per Linear Street Foot
Linear Street Frontage for Assessor's Parcels designated as: Non-Profit Service Organization Religious Institutional Property	\$21.00 per Linear Street Foot
Building Square Footage for Assessor's Parcels designated as: Commercial Property	\$0.111 per Building Square Foot
Lot Square Footage for Assessor's Parcels designated as: Commercial Property	\$0.0276 per Lot Square Foot
Lot Square Footage for portion of Phelan Loop Parcel dedicated to public parking, the bus transfer station, or open space	\$0.080 per Lot Square Foot
<b>Zone 2</b>	
Linear Street Frontage for Assessor's Parcels designated as: Public Property	\$13.90 per Linear Street Foot

In making the assessments contained herein pursuant to Proposition 218, the "Right to Vote on Taxes Act" approved by California voters in 1996, which added Articles XIII C and XIII D to the California State Constitution (the "Assessment Law"):

1. I have identified all parcels which will have a special benefit conferred upon them from the improvements, services, and activities described in the Description of Improvements, Services, and Activities section of this Engineer's Report (the "Specially Benefited Parcels"). For particulars as to the identification of said parcels, reference is made to the Assessment Diagram, a copy of which is included in Appendix A of this Engineer's Report.
2. I have evaluated the costs and expenses of the improvements, services, and activities upon the Specially Benefited Parcels. In making such evaluation:
  - a. The proportionate special benefit derived by each Specially Benefited Parcel from the improvements, services, and activities was determined in relationship to the entirety of the costs of the improvements, services, and activities;
  - b. No assessment has been imposed on any Specially Benefited Parcel which exceeds the reasonable cost of the proportional special benefit conferred on such parcel from the improvements, services, and activities; and
  - c. Any general benefits from the improvements, services, and activities have been separated from the special benefits and only special benefits have been assessed.

I, the undersigned, respectfully submit the enclosed Engineer's Report and, to the best of my knowledge, information and belief, the Engineer's Report, Assessments, and the Assessment Diagram herein have been prepared and computed in accordance with the order of the Board of Supervisors of the City and County of San Francisco and the Assessment Law.

  
K. Dennis Klingelhofer, P.E., Assessment Engineer





## **INTRODUCTION**

This Engineer's Report has been prepared to support the authorization of the Ocean Avenue Community Benefits District within the Ocean Avenue area of the City and County of San Francisco ("City"). This business improvement district will provide cleaning, maintenance, and public safety services, as well as a concentrated marketing program throughout the Ocean Avenue area. If authorized, the City will levy assessments annually against real property, for a term of 15 years, within the boundaries of the district.

### **Official Name Designation**

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The name designation of this proposed district for the City of San Francisco's Ocean Avenue area is the Ocean Avenue Community Benefits District ("Ocean Avenue CBD").

### **Type of Business Improvement District**

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The Ocean Avenue CBD is being authorized pursuant to the Property and Business Improvement District Law of 1994 ("1994 Act"), as augmented by Article 15 to the Business and Tax Regulations Code of the City and County of San Francisco Municipal Code ("Article 15").

### **Ocean Avenue CBD Boundaries**

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The properties located within the Ocean Avenue CBD boundaries represent a dynamic mix of land and development uses. There is a combination of commercial, retail, educational, non-profit, public and residential uses represented. The variety of land uses creates a unique and diverse corridor that plays into the vibrant activity and economic development of the Ocean Avenue area.

The boundaries of the Ocean Avenue CBD include those properties that front Ocean Avenue from Manor Drive on the west running along Ocean Avenue to Interstate 280. Properties lying outside of this area are predominately residential neighborhoods. The Ocean Avenue CBD will not provide services and activities to those outlying properties. Within the Ocean Avenue CBD, there are two separate benefit zones established in order to reflect the different levels of service provided.

#### **Zone 1**

The primary zone, Zone 1, includes properties fronting the northern side of Ocean Avenue from Manor Drive on the west to Phelan Avenue on the east. Zone 1 also includes the properties fronting the south side of Ocean Avenue from Victoria Street on the west to Geneva Avenue on the east. There are currently 145 properties located within Zone 1. The properties consist of a variety of different land use types such as commercial, non-profit, religious, public, and residential.

#### **Zone 2**

Zone 2 includes three properties located east of Geneva Avenue and Phelan Drive to Interstate 280; designated as Assessor's Parcels 3179 -010, 6946 -061, and 6948 -023. The three properties in Zone 2 include the portion of the San Francisco City College Ocean Avenue campus and Lick Wilmerding High School that front Ocean Avenue, and a City owned median, landscaped property located at the intersection of Ocean Avenue and Geneva Avenue. Zone 2 does not include any of the Assessor's Parcels within Assessor's Block 6947. In comparison to Zone 1, Zone 2 receives a reduced level of improvements, services, and activities.

Appendix A of this Engineer's Report provides an assessment diagram that more fully details the boundaries of the Ocean Avenue CBD and identifies each parcel.

## **DESCRIPTION OF IMPROVEMENTS, SERVICES, AND ACTIVITIES**

Under the leadership of the Owners' Association, the Ocean Avenue CBD plans to implement and fund two principal programs; a Cleaning, Maintenance, and Safety program and a Marketing, Streetscape, and Beautification program.

### **Cleaning, Maintenance, and Safety**

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#### Objectives

The Ocean Avenue CBD plans to supplement services already provided by the Department of Public Works and other relevant City agencies. The comprehensive program aims to ensure owner, merchant, resident, and visitor safety; and provide for the maximum possible cleanliness of sidewalks, curbs, fixtures, landscaping, and buildings throughout the Ocean Avenue CBD boundaries. Through the utilization of managed services, the Cleaning, Maintenance, and Safety program is designed to strive for a safe, clean, and litter-free area that is absent of graffiti or other signs of decay. The goal is for property owners, merchants and residents alike to maintain a sense of pride in the Ocean Avenue area. Further, perceptions of cleanliness lend itself as an important contribution to the establishment and growth of an aesthetically pleasing, safe, and vibrant community.

#### Service Outline

The Ocean Avenue CBD's managed Cleaning, Maintenance, and Safety program includes continuous sidewalk sweeping, refuse removal, regularly scheduled steam cleaning, pressure washing, graffiti removal, tree pruning and watering, tree well weeding with crushed granite replenishment, and a variety of safety services efforts.

A team of maintenance workers will work on these tasks as outlined for each benefit zone more fully described below:

#### **Zone 1**

A list of eligible Zone 1 services include, but are not limited to:

- Regular sidewalk cleaning including but not limited to steam cleanings, sweeping, hot water scrubbing and cleaning of the Municipal Railway boarding islands as needed
- Tree well weeding (quarterly) and crushed granite replenishing as needed
- Small tree pruning – approximately 20 to 36 per year, prune for shape and for air circulation
- Large tree pruning - approximately 6 to 12 per year, prune for shape and air circulation
- Paint over major graffiti attacks, approximately 6 per year (ground or second floor)
- Tree trunk graffiti removal using soapy water and wire brushes
- Sidewalk, gutter, and tree well sweeping and trash removal (daily)
- Utility pole/box flyer and mastic tape removal and graffiti removal as required
- Water existing trees every 3 weeks during the dry season
- Safety efforts to include ambassadors/guides/security that promote citizen efforts through assistance in crime prevention, assistance to visitors with area information, and provide street population/homeless with social services information.

## **Zone 2**

A list of eligible Zone 2 services include, but are not limited to:

- Regular sidewalk cleanings, at approximately a 50% reduced frequency of Zone 1, including but not limited to steam cleanings, sweeping, hot water scrubbing.
- Weed removal within 10 feet of sidewalk and at tree wells (quarterly)
- Tree well crushed granite maintenance as for the Zone 1 area
- Sidewalk and gutter sweeping, approximately 3 days per week
- Utility pole/box flyer and mastic tape removal and graffiti removal as required
- Small tree pruning - prune for shape and air circulation
- Large tree pruning - prune for shape and air circulation
- Safety efforts to include ambassadors/guides/security that promote citizen efforts through assistance in crime prevention, assistance to visitors with area information, and provide street population/homeless with social services information.

## **Marketing, Streetscape Improvements, and Beautification**

Recognizing the challenges inherent in an urban business setting, it is important to maintain an awareness of the unique business environment that the Ocean Avenue area provides. Thus, the stakeholders are proposing to include programs for marketing, promotions, streetscape improvements, and beautification. The Marketing, Streetscape, and Beautification program intends to ensure both the continuity of existing services as well as new initiatives designed to promote both stability and growth within the area.

### **Objectives**

The Ocean Avenue CBD stakeholders determined that marketing activities will improve Ocean Avenue's image, appeal, and visibility. In addition, the marketing activities will contribute towards the enhancement of property value, and the recruitment and retention of businesses. Stakeholders view marketing activities as especially useful and necessary during a time of serious economic downturn, as is currently the case. The marketing activities intend to promote the Ocean Avenue CBD, as well as include properties and businesses through specially targeted programs and initiatives.

One initiative provides for the creation and production of special events that draw visitors into the Ocean Avenue area as a means of additional exposure. Some of the proposed special events include holiday events and monthly concerts throughout the year.

The Owners' Association plans to include other marketing initiatives as appropriate, and as budget resources allow.

### **Advocacy**

The purpose of advocacy within the marketing, promotions, streetscape improvements, and beautification program is to promote the Ocean Avenue CBD as a clean, safe, and vibrant area for businesses, visitors, and residents. The advocacy goes well beyond marketing programs that create image and visibility. In fact, advocacy activities include services and resources that increase the Ocean Avenue area image as a friendly, clean, and attractive place for dining, shopping, and entertainment. The stakeholders intend to advocate in effort to support business growth.

Specific Marketing, Streetscape, and Beautification program services and activities can include, but are not limited to:

- Advocacy
- Beautification
- Capital improvements
- Business retention activities
- Newsletters
- Advertisements
- Holiday decorations
- Banners
- Concerts and activities
- Public Art
- Brochures, advertising, website
- Special events and street festivals.

### **Management and Operations**

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The Ocean Avenue CBD's effectiveness in forming and maintaining relationships with the community is a vital component to the success of the Ocean Avenue CBD. A strong community relations effort emphasizes the importance of positive relationships within the Ocean Avenue area in an atmosphere of maximum community involvement. Active corridor management will also afford the opportunity to garner other material and financial support for Ocean Avenue.

Regular activities and initiatives that support this task include:

- A dedicated Ocean Avenue part-time executive director who will serve as a focal point person and advocate for Ocean Avenue
  - Office expenses including accounting, rent, utilities, office supplies, insurance, legal, and other professional services
- Grant applications and facilitation, including safety related efforts.

### **Existing City Services**

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The City currently provides services to the Ocean Avenue CBD. The improvements, services, and activities funded by the Ocean Avenue CBD assessment revenue are in addition to those services currently provided by the City.

A list of existing services provided by the City, is included as part of the Ocean Avenue Community Benefits District Management District Plan.

## ESTIMATED COSTS

### Total Annual Amount Proposed to be Expended

The maximum annual budget presented below represents the costs for providing the improvements, services, and activities that are in addition to those services already provided by the City.

Beginning in Fiscal Year 2010/11, the maximum annual budget amount for the Ocean Avenue CBD is as follows:

Budget Description	2010/11 Maximum Budget Amount	% of Total Budget
Cleaning, Maintenance, and Safety Program	\$125,000	52%
Marketing, Streetscape, and Beautification Program	40,000	16%
Management and Operations	63,000	26%
Contingency and Reserves	14,631	6%
<b>Total 2010/11 Maximum Budget:</b>	<b>\$242,631</b>	<b>100%</b>

Annual Revenue Description	2010/11 Annual Revenue Amount	% of Total Annual Revenue
Assessment Revenue	\$240,174	99%
Other Revenue(1)	2,457	1%
<b>Total 2010/11 Annual Revenue</b>	<b>\$242,631</b>	<b>100%</b>

(1) Comprised of additional funds generated from sources such as, grants, donations, and fees for service contracts and in kind donations.

During any future year of operation, the Owners' Association may re-allocate funds from one budget category to another budget category. However, the annual re-allocation of budget category amounts shall not exceed or decrease more than 10% of the previous Fiscal Year's approved budget category amount.

The total estimated costs are separated into two categories; the Cleaning, Maintenance, and Safety program and the Marketing, Streetscape and Beautification program, in order to allocate the overhead cost component of the total estimated budget. Management and operations and contingency and reserves costs are spread proportionally based upon the percentage of each program to the total program costs. The total Fiscal Year 2010/11 program costs are \$165,000, with the Cleaning, Maintenance, and Safety program representing approximately 76% and the Marketing, Streetscape and Beautification program representing approximately 24%. Therefore, approximately 76% of the overhead costs are assigned to the Cleaning, Maintenance, and Safe program and approximately 24% of the overhead costs are assigned to the Marketing, Streetscape and Beautification program. For Fiscal Year 2010/11, the Cleaning, Maintenance, and Safety program represents \$186,923 of the total budget and the Marketing, Streetscape and Beautification program represents \$53,250 of the total budget.

Additionally, 1% of the Cleaning, Maintenance, and Safety program provides a general benefit to the public; see the Basis of Assessment section of this Engineer's Report for further information. Properties can be assessed for the special benefits received from the programs and activities, but not the general benefits received by the public at large. Therefore, the portion of the total budget designated as general benefit will be supplemented from other sources. The funds needed (\$2,457) to cover the costs associated with the general benefits received will be contributed through grants, donations, fees for service contracts, and fundraising events.

The Fiscal Year 2010/11 total maximum assessment revenue is subject to an annual increase beginning July 1, 2011. The maximum annual assessment revenue increase will reflect the annual change in the March Consumer Price Index for All Urban Consumers in San Francisco-Oakland-San Jose or 3%, whichever is less. In no event shall the annual assessment revenue increase be less than zero (i.e., decreased). Note however, that this is the maximum annual assessment revenue and the actual amount assessed to properties may be less than this maximum, depending on desires of the Ocean Avenue CBD and its stakeholders.

Based upon a maximum annual assessment increase of 3%, beginning July 1, 2011, to the total annual assessment revenue budget each year for each of the 15 years is:

<b>Fiscal Year</b>	<b>Total Maximum Annual Assessment Revenue (1)</b>
2010/11	\$240,229
2011/12	247,436
2012/13	254,859
2013/14	262,505
2014/15	270,380
2015/16	278,491
2016/17	286,846
2017/18	295,451
2018/19	304,315
2019/20	313,444
2020/21	322,848
2021/22	332,533
2022/23	342,509
2023/24	352,784
2024/25	363,368
<b>Total Maximum Assessment Revenue</b>	<b>\$4,467,998</b>

(1) The total maximum amount assessed to property owners within the Ocean Avenue CBD each Fiscal Year.

## **METHOD OF ASSESSMENT**

### **Statutory Considerations**

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Proposition 218, the "Right to Vote on Taxes Act" was approved by California voters in 1996, which added Articles XIII C and XIII D to the California State Constitution. The primary results of Proposition 218 were stricter definitions of assessments, special taxes, fees, and charges, and a general mandate for some type of voter approval for any new or increased tax, assessment, or property-related fee. The Proposition 218 Omnibus Implementation Act ("Implementation Act") was approved July 1, 1997. The Implementation Act provided for procedures throughout the notice, protest and hearing process. It should be noted that this report has been prepared to be consistent with current practices and the California State Constitution. In the meantime, there are a number of pending court cases related to special assessments that could alter current practices and procedures.

#### **Special Benefit**

Pursuant to Proposition 218, or more specifically Article XIII D, Section 2(i) "Special benefit means a particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large. General enhancement of property value does not constitute special benefit."

All parcels that have special benefit conferred upon them as a result of the services and activities provided shall be identified, and the proportionate special benefit derived by each identified parcel shall be determined in relationship to the entire cost of the services and activities.

In accordance with Article XIII D §4(a) "No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel. Only special benefits are assessable, and an agency shall separate the general benefits from the special benefits conferred on a parcel." Article XIII D also provides that publicly owned properties must be assessed unless there is clear and convincing evidence that those properties receive no special benefit from the assessment. Exempted from the assessment would be the areas of public streets, public avenues, public lanes, public roads, public drives, public courts, public alleys, public easements and rights-of-ways, public greenbelts and public parkways.

#### **General Benefit**

Proposition 218 requires that any local agency proposing to increase or impose a special assessment to "separate the general benefits from the special benefits conferred on a parcel." The rationale for separating special and general benefits is to ensure that the property owners are not charged with an assessment that pays for general benefits. Thus, a local agency carrying out projects or services that provide both special and general benefits may levy an assessment to pay for the special benefits but must acquire separate funding to pay for those general benefits.

General benefit is an overall and similar benefit to the public at large resulting from the improvements, services, and activities to be provided by the assessments levied. All of the services and activities more fully presented in the Description of Improvements, Services, and Activities section of this Engineer's Report are provided within the Ocean Avenue CBD boundaries only. There will be no improvements, services, or activities provided outside of the boundaries.

## **Source(s) of Financing**

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The levy and collection of annual assessments upon property within the Ocean Avenue CBD provides the primary funding source for the improvements, services, and activities previously outlined. The Owners' Association can generate additional funds from sources other than annual assessments on properties within the Ocean Avenue CBD. These funds may include grants, donations, and fees for service contracts and in kind donations.

The Ocean Avenue CBD will not issue bonds to fund any of the improvements, services, and activities provided by the Ocean Avenue CBD.

## **Definitions**

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"Assessor's Data" – The street frontage, total square footage, structure square footage, or other Assessor's Parcel information contained in the records of the County Assessor.

"Assessor's Parcel" - A lot or parcel of land designated on an Assessor's Parcel Map with an assigned Assessor's Parcel number within the boundaries of the Ocean Avenue CBD.

"Assessor's Parcel Map" - An official map of the Assessor of the County designating Assessor's Parcels by Assessor's Parcel number.

"Building Square Foot(age)" - The total commercial structure square footage as shown in the Assessor's Data for each Assessor's Parcel, or other sources deemed reliable. If a building permit for new construction is issued as of June 30 of the previous Fiscal Year, the total commercial square footage for the Assessor's Parcel will be the amount as shown on the building permit; an increase in the annual assessment, if any, will not be considered an assessment increase per the 1994 Act or Proposition 218.

"Commercial Property" – Assessor's Parcels or portions of Assessor's Parcels within the boundaries of the Ocean Avenue CBD of a commercial nature that are not used for Residential, Non-Profit Service Organization, Religious Institutional, or Public purposes.

"County" – The City and County of San Francisco, State of California.

"Fiscal Year" - The period commencing on July 1 of any calendar year and ending June 30 of the following calendar year.

"Linear Street Frontage" or "Linear Street Foot(Feet)" - The street frontage of the Assessor's Parcel to Ocean Avenue within the District. The street frontage shall be based upon information as shown on the Assessor's Parcel Map, or other sources deemed reliable.

"Lot Size" or "Lot Square Foot(age)" - The total square footage of the lot as shown on the Assessor's Parcel Map or in the Assessor's Data for each Assessor's Parcel.

"Non-Profit Service Organization Property" – Assessor's Parcels or portions of Assessor's Parcels within the boundaries of the Ocean Avenue CBD designated as non-profit service organizations and afforded a tax-exempt status as shown on County Assessor's Data. Does not include retail stores, or second hand shops set up for the purposes of raising funds for a non profit service organization.

"Religious Institutional Property" – Assessor's Parcels or portions of Assessor's Parcels within the boundaries of the Ocean Avenue CBD designated for the use of religious institutional purposes.



Does not include retail stores, or second hand shops set up for the purposes of raising funds for a religious institution.

"Phelan Loop Parcel" - Identified as the south eastern portion of Assessor's Parcel number 3180 -001 currently used as the MTA bus transfer area, a parking lot, a fire station and open space. Only the portions of Phelan Loop Parcel fronting Ocean Avenue used for the above listed uses, except for the fire station, will receive CBD lot-wide services, within the interior of the parcel and will be subject to an additional lot square footage assessment to pay for this additional level of service. Portions of Parcel number 3180 -001 currently used as the MTA bus transfer area, a parking lot, a fire station and open space will all be assessed on their linear frontage for services to the sidewalk.

If Assessor's Parcel 3180 -001 renumbers, consolidates, and/or subdivides, the Phelan Loop Parcel shall be identified by the subsequent Assessor's Parcel number(s) assigned to that portion of land fronting Ocean Avenue, encompassing the current bus turnaround area, and the open space on the corner of Ocean, the fire station. If the Phelan Loop Parcel's land use changes to a land use to something other than the current land use, the Assessor's Parcel will be assessed according to the updated land use. An increase in the annual assessment, if any, will not be considered an assessment increase per Proposition 218.

"Public Property" - Assessor's Parcels or portions of Assessor's Parcels within the boundaries of the Ocean Avenue CBD owned by the public such as; open space areas, educational institutions (Lick Wilmerding high school or City colleges), public transit areas, public parking facilities, public libraries, and fire stations, provided that any property leased by a public agency to a private entity and subject to the assessment under the 1994 Act shall be assessed and classified according to its use.

"Residential Property" – Assessor's Parcels or portions of Assessor's Parcels within the boundaries of the Ocean Avenue CBD used for residential purposes.

### **Basis of Assessment**

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The benefits provided to real property within the Ocean Avenue CBD relate to the improvements, services, and activities carried out by the Ocean Avenue CBD Owners' Association and more fully described in the "Description of the Improvements, Services, and Activities" section of this Management District Plan.

Assessor's Parcels within the Ocean Avenue CBD display a unique usage (combined retail, restaurant, commercial, residential, etc.) that comes in a wide variety of parcel sizes, building sizes, shapes, and formats. These configurations make it difficult to use a standardized formulaic approach in assigning special benefit and determining the proportional assessment. In an effort to enhance the image and desirability of the Ocean Avenue CBD area, the Owners' Association intends to provide additional levels, above the existing services already provided by the City, of cleaning, maintenance, and safety services along a portion of Ocean Avenue. Currently, any desired services and activities above the City's baseline levels are the financial responsibility of the individual property owners.

To combine property owner efforts and achieve certain economies of scale, assessment revenue collected from Ocean Avenue CBD property owners will provide the necessary funding for the proposed Cleaning, Maintenance, and Safety program services and activities. Given the linear nature of the Cleaning, Maintenance, and Safety program activities, such as sidewalk maintenance and safety services, the direct benefit assignment basis for each Assessor's Parcel is the Linear Street Frontage along Ocean Avenue.

All Assessor's Parcels within the Ocean Avenue CBD boundaries have frontage along Ocean Avenue, therefore, the Cleaning, Maintenance, and Safety program benefit is apportioned to each Assessor's Parcel based upon zone of benefit, property land use, and assigned Linear Street Frontage.

Throughout Zone 1, there are a few properties with non-profit service organization or religious institutional land use designations. Due to these unique land uses and the special services provided by these types of properties, a reduced level of Cleaning, Maintenance, and Safety program services will be provided to the corresponding street frontage for these properties. These designated property uses will receive approximately 75% of the sidewalk sweeping, refuse removal, steam cleanings, and pressure washing service levels that other Zone 1 properties receive. To account for the reduction in benefit, of the Non-Profit Service Organization Property and Religious Institutional Property, from the Cleaning, Maintenance, and Safety program activities; the Linear Street Frontage assessment rate for Non-Profit Service Organization Property and for Religious Institutional Property is 75% of the Zone 1 Linear Street Frontage assessment rate applied to all other property land uses.

County Assessor Parcel Maps provided the Linear Street Frontage for each Assessor's Parcel. The property owner will confirm the Linear Street Frontage assigned to his or her property. The assessment notice and petition provided to each benefitting property owner will include each Assessor's Parcel's assigned information. Assessor's Parcels that do not have direct street frontage, as a result of being located on a floor other than the ground floor, are assigned Linear Street Frontage based upon their portion of the entire building's assigned Linear Street Footage and land use. The basis for each Assessor's Parcel's proportional Linear Street Frontage is the individual Building Square Footage as it relates to the total square footage for the entire building. All Assessor's Parcels designated as Residential Property within the same building structure receive equal Linear Street Frontage assignment.

Based upon the 2009/10 County secured roll information, the total Linear Street Frontage for the Ocean Avenue CBD is 7,746 Linear Street Feet. The Linear Street Frontage assigned to Zone 1 is 6,213 Linear Street Feet and the Linear Street Frontage assigned to Zone 2 is 1,533 Linear Street Feet. The Assessment Roll in Appendix B provides a breakdown of the Linear Street Frontage assigned for each Assessor's Parcel.

The Phelan Loop Parcel is currently used as the MTA bus transfer area, a parking lot, a fire station and open space. Only the portions of Phelan Loop Parcel fronting Ocean Avenue used for the above listed uses, except for the fire station, will receive CBD lot-wide services, within the interior of the parcel and will be subject to an additional lot square footage assessment to pay for this additional level of service. Portions of Parcel number 3180 -001 currently used as the MTA bus transfer area, a parking lot, a fire station and open space will all be assessed on their linear frontage for services to the sidewalk.

The Phelan Loop Parcel is currently used as the MTA bus transfer area, a parking lot, a fire station and open space. Only the portions of Phelan Loop Parcel fronting Ocean Avenue used for the above listed uses, except for the fire station, will receive CBD lot-wide services, within the interior of the parcel and will be subject to an additional lot square footage assessment to pay for this additional level of service. Portions of Parcel number 3180 -001 currently used as the MTA bus transfer area, a parking lot, a fire station and open space will all be assessed on their linear frontage for services to the sidewalk.

In order to proportionally assess for the additional services and activities provided to the eligible portions of the Phelan Loop Parcel, the Cleaning, Maintenance, and Safety program assessment is based upon both the Linear Street Frontage assigned, and the Lot Square Footage assigned to the eligible portions of the Phelan Loop Parcel area. The assessable portion of the Phelan Loop Parcel Linear Street Frontage is 572.17. The assessable portion of the Phelan Loop Parcel Lot Square Footage is 70,073. If there is a reconfiguration of the Phelan Loop Parcel that results in different property land uses, the resulting new parcels fronting Ocean Avenue will be assessed according to their updated property land uses.

Although the improvements, services, and activities provided throughout the Ocean Avenue CBD incorporates public streets and rights of way, it is clear that the improvements, services, and activities provided are directed towards, and necessary for, the cleanliness and maintenance of the Ocean Avenue area, the safety of commercial and residential property tenants, property owners, visitors, as well as, the enhancement of the business environment, and the increased opportunities of the properties throughout the Ocean Avenue CBD. The Ocean Avenue CBD will not provide any of these improvements, services, and activities to properties located outside of the Ocean Avenue CBD boundaries. The Owners' Association will use collected assessment revenue to pay for the enhanced improvements, services, and activities that are over and above the baseline services currently provided by the City. However, in assigning direct benefit, public access, use, or availability of these improvements, services, and activities by others was considered.

The general benefits to the public at large are minimal. Various CBDs around the City conducted surveys<sup>1</sup> to determine the likelihood of individuals passing through their boundaries without the intention of engaging in any type of commerce activity in the CBD. Of those surveyed, less than 1% indicated that they do not nor do they ever have the intention of engaging in any type of commerce regardless of any future BID programs and services provided. To account for this activity, 1% of the total annual budget is considered general benefit. Properties within the Ocean Avenue CBD are not assessed this 1% general benefit. Further, the City will continue to provide the general baseline services within the Ocean Avenue CBD.

Marketing, Streetscape, and Beautification program services are essential to encourage business development and retention, minimize property vacancies, as well as persuade visitors to come to the Ocean Avenue area to shop, dine, and conduct business. A well marketed and attractive area provides property owners with the ability to achieve the highest and best use of the property, and generate a greater demand for available space. Some of the plans to increase the market awareness of the Ocean Avenue area includes; creating a greater draw of visitors through special events and targeted marketing promotions, holiday decorations, and positioning the Ocean Avenue area more competitively. Given the types of planned marketing programs and activities, it is determined that only Commercial Property uses will receive a direct benefit. The marketing assessment is assigned to those properties, or portions of properties, designated as commercial use only. The assessment is based upon the properties proportional benefit received, and will provide the necessary funding to carry out the Marketing, Streetscape, and Beautification program activities. The primary goal of the Marketing, Streetscape, and Beautification program is to increase the desirability of existing space, both building and vacant property, throughout the Ocean Avenue CBD. Therefore, the Marketing, Streetscape, and Beautification program benefits are assigned to the Building Square Footage and Lot Square Footage attributable to the Commercial Property uses located in Zone 1, the heart of the retail commercial district, only.

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<sup>1</sup> In 2009, the City along with the Greater Union Square BID and the West Portal CBD conducted streets surveys to determine the level of general benefit received from the improvements, services, and activities.

## Assessment Calculation

The Zone 1 Fiscal Year 2010/11 assessment calculation rates are:

Zone 1 - Assessment Category Description	Fiscal Year 2010/11 Assessment Rate
Linear Street Frontage for Assessor's Parcels designated as: Commercial Property Residential Property Public Property	\$26.28 per Linear Street Foot
Linear Street Frontage for Assessor's Parcels designated as: Non-Profit Service Organization Religious Institutional Property	\$21.00 per Linear Street Foot
Building Square Footage for Assessor's Parcels designated as: Commercial Property	\$0.111 per Building Square Foot
Lot Square Footage for Assessor's Parcels designated as: Commercial Property	\$0.0276 per Lot Square Foot
Lot Square Footage for portion of Phelan Loop Parcel dedicated to public parking, the bus transfer station, or open space	\$0.080 per Lot Square Foot

### Zone 1 Annual Assessment Calculation:

$$\text{Linear Street Frontage Assessment} = \text{Assigned Linear Street Frontage} \times \text{Linear Street Frontage Assessment Rate}$$

$$\text{Building Square Footage Assessment} = \text{Commercial Property Building Square Footage} \times \text{Building Square Footage Assessment Rate}$$

$$\text{Lot Square Footage Assessment} = \text{Commercial Property Lot Square Footage} \times \text{Lot Square Footage Assessment Rate}$$

### Zone 1 Assessor's Parcel Annual Assessment:

$$\text{Assessor's Parcel Annual Assessment} = \text{Linear Street Frontage Assessment} + \text{Building Square Footage Assessment} + \text{Lot Square Footage Assessment}$$

### Zone 1 Phelan Loop Parcel Annual Assessment:

$$\text{Phelan Loop Parcel Annual Assessment} = \text{Linear Street Frontage Assessment} + \text{Assigned Lot Square Footage} \times \text{Lot Square Footage Assessment Rate}$$

The Zone 2 Fiscal Year 2010/11 assessment calculation rates are:

Zone 2 - Assessment Category Description	Fiscal Year 2010/11 Assessment Rate
Linear Street Frontage for Assessor's Parcels designated as: Public Property	\$13.90 per Linear Street Foot

**Zone 2 Annual Assessment Calculation:**

$$\text{Linear Street Frontage Assessment} = \text{Linear Street Frontage} \times \text{Linear Street Frontage Assessment Rate}$$

**Zone 2 Assessor's Parcel Annual Assessment:**

$$\text{Assessor's Parcel Annual Assessment} = \text{Linear Street Frontage Assessment}$$

**Maximum Annual Assessments**

The Zone 1 Fiscal Year 2010/11 maximum annual assessment rates are as follows:

- Per Linear Street Foot (Commercial, Residential, Public Property, and Phelan Loop Parcel): \$26.28
- Per Linear Street Foot for (Non-Profit Service Organization, and Religious Institutional Property): \$21.00
- Per Commercial Property Building Square Foot: \$0.111
- Per Commercial Property Lot Square Foot: \$0.0276
- Per Phelan Loop Parcel Lot Square Foot (the Lot Square Footage for the portion of the Phelan Loop Parcel dedicated to public parking, the bus transfer station or open space): \$0.080

The Zone 2 Fiscal Year 2010/11 maximum annual assessment rate is as follows:

- Per Linear Street Foot (Public Property): \$13.90

**Maximum Annual Assessment Increases**

Beginning July 1, 2011, all maximum assessment rates are subject to an annual increase. The maximum assessment rates will reflect the annual change in the March Consumer Price Index for All Urban Consumers in San Francisco-Oakland-San Jose or 3%, whichever is less. However, in no event shall the annual increase be less than zero.

The maximum increase of 3% to the maximum assessment rates for the next 15 years is:

Fiscal Year	Zone 1 Linear Foot Rate(1)	Zone 1 Linear Foot Rate NPSO, RI (2)	Zone 1 Commercial Building Square Foot Rate	Zone 1 Commercial Lot Square Foot Rate	Zone 1 Phelan Loop Parcel Lot Square Foot Rate	Zone 2 Linear Foot Rate(3)
2010/11	\$26.28	\$21.00	\$0.111	\$0.0276	\$0.080	\$13.90
2011/12	27.07	21.63	0.114	0.0284	0.082	14.32
2012/13	27.88	22.28	0.118	0.0293	0.085	14.75
2013/14	28.72	22.95	0.121	0.0302	0.087	15.19
2014/15	29.58	23.64	0.125	0.0311	0.090	15.65
2015/16	30.47	24.35	0.129	0.0320	0.093	16.12
2016/17	31.38	25.08	0.133	0.0330	0.096	16.60
2017/18	32.32	25.83	0.137	0.0339	0.098	17.10
2018/19	33.29	26.61	0.141	0.0350	0.101	17.61
2019/20	34.29	27.40	0.145	0.0360	0.104	18.14
2020/21	35.32	28.23	0.149	0.0371	0.108	18.68
2021/22	36.38	29.07	0.154	0.0382	0.111	19.24
2022/23	37.47	29.94	0.158	0.0394	0.114	19.82
2023/24	38.60	30.84	0.163	0.0405	0.117	20.41
2024/25	39.76	31.77	0.168	0.0417	0.121	21.03

(1) Includes Commercial, Residential, Public Property, and Phelan Loop Parcel.

(2) Includes Non-Profit Service Organization, and Religious Institutional Property.

(3) Includes Public Property.

Regardless of the assessment amount actually levied each year (assessments may be levied at less than the maximum assessment rate), the maximum allowable assessment rates will increase as described above. Any increase in the actual amount of the assessment levied, as long as it does not exceed the maximum assessment for that Fiscal Year, is not considered an increase of the assessment as defined by Proposition 218.

### **Time and Manner of Collecting Assessments**

The City will levy and collect Ocean Avenue CBD assessments in the same manner and at the same time as ordinary *ad valorem* property taxes.

### **Delinquent Payments**

The City will place the Ocean Avenue CBD assessments on the County annual secured property tax bills for regular collection at the standard due dates (due twice per year on November 1 and February 1). The Ocean Avenue CBD assessment will appear as a separate line item on the property tax bill. The City will directly bill any Assessor's Parcel which does not regularly receive a property tax bill from the County.

All delinquent payments, including penalties and accrued interest, will be expended in the budgeted categories outlined in the Estimated Costs section of this Engineer's Report. The Ocean Avenue CBD Owners' Association will determine the budget allocation.

## **Assessment Roll**

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Appendix B of this Engineer's Report provides a listing of all of the Assessor's Parcels, including the Assessor's Parcel number, Owner, Benefit Zone, Linear Street Frontage, Commercial Property Building Square Footage, and Commercial Property Lot Square Footage subject to the Ocean Avenue CBD annual assessment.

## **Resolution of Disputes**

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The stakeholders formed the Ocean Avenue CBD after considerable outreach and careful research; with information based on sources deemed to be reliable. If a property owner thinks that the assessment has been calculated or applied in error, he or she must first contact the Ocean Avenue Owners' Association to correct the property information used to calculate the assessment. If the property owner is not satisfied with the response, then he or she may request an assessment recalculation from the City and County of San Francisco's Office of Economic and Workforce Development per the assessment formula included in the management plan.

## **Disestablishment**

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Each year that the Ocean Avenue CBD is in existence, there will be a 30-day period during which the property owners will have the opportunity to request disestablishment of the CBD. This 30-day period begins each year on the anniversary date the Board of Supervisors established the CBD. Within that 30-day period if a written petition is submitted, by the owners of real property who pay 50% or more of the assessments levied, the CBD may be disestablished by the Board of Supervisors.

A majority (six members) of the Board of Supervisors may initiate disestablishment proceedings at any time based on improper actions by the CBD management corporation, such as misappropriation of funds, malfeasance, or violation of law.

A supermajority (eight members) of the Board of Supervisors may initiate disestablishment proceedings for any reason.

All outstanding indebtedness must be paid prior to disestablishment of the CBD.

## **APPENDICES**

**Assessment Diagram**

**A**

**Assessment Roll**

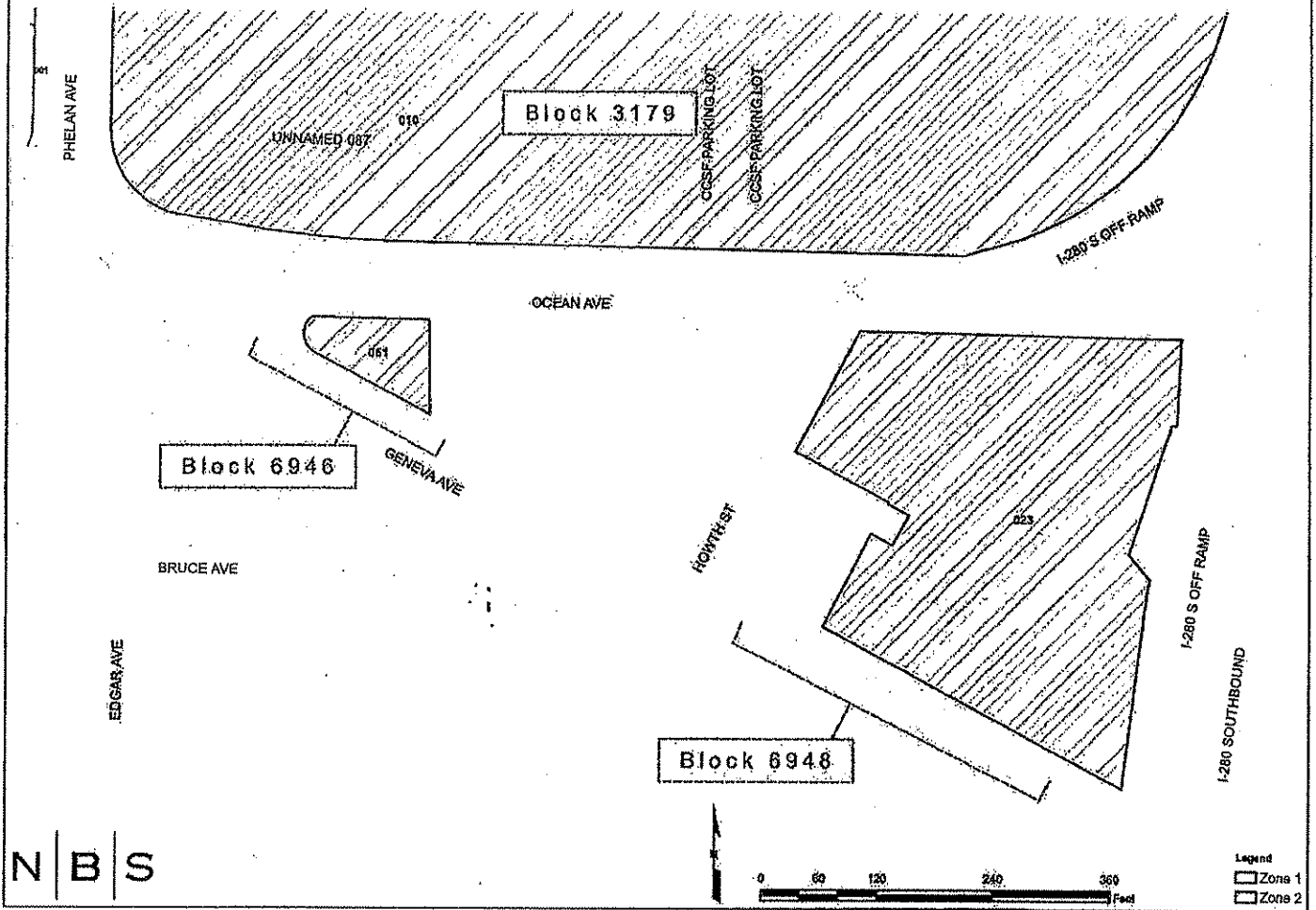
**B**



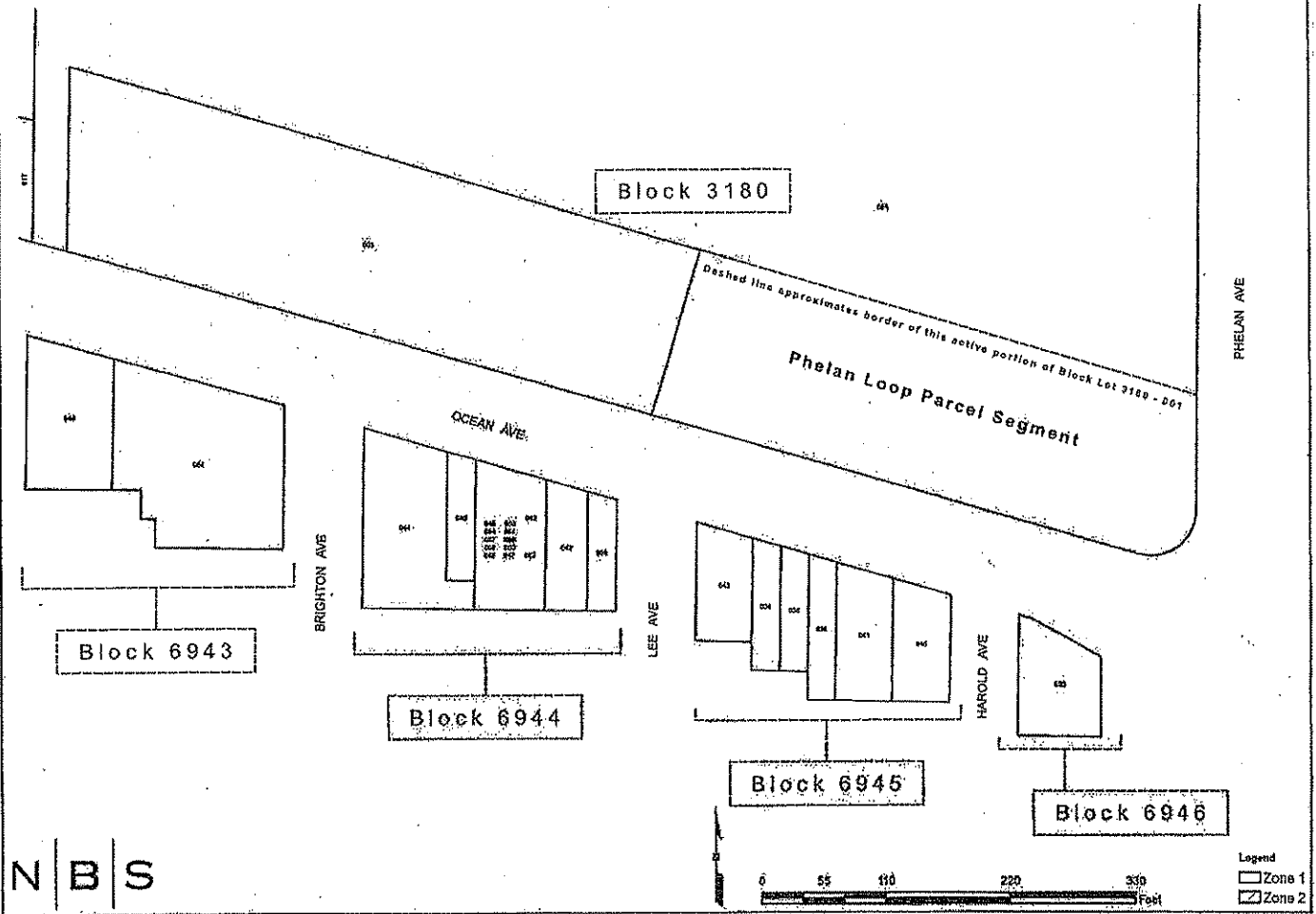
## ***APPENDIX A – ASSESSMENT DIAGRAM***

The following pages provide the assessment diagram that outlines the boundaries of the Ocean Avenue CBD, as well as the location and identification of each Assessor's Parcel subject to the annual assessment.

### BOUNDARY MAP CITY AND COUNTY OF SAN FRANCISCO OCEAN AVENUE COMMUNITY BENEFITS DISTRICT

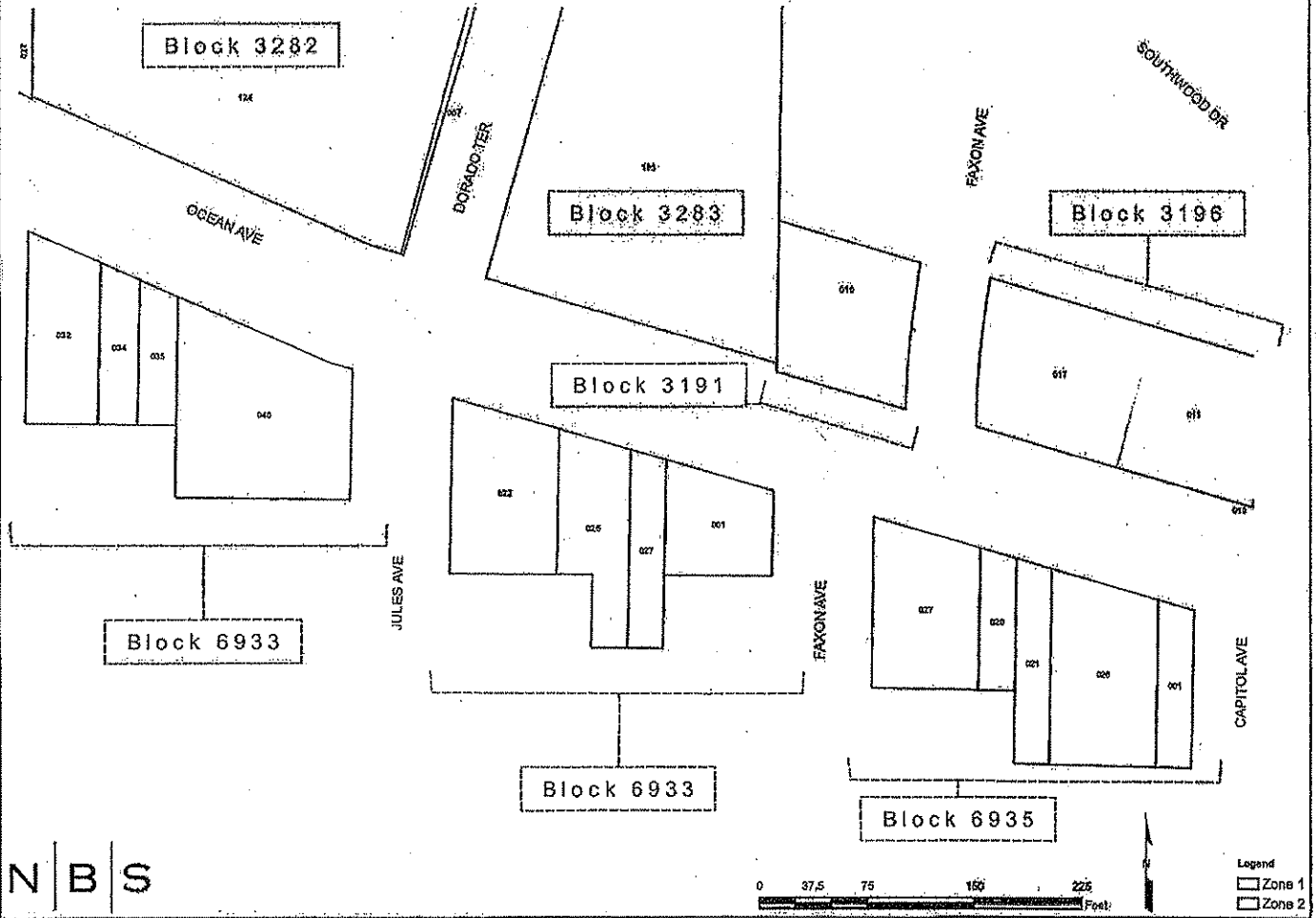


# BOUNDARY MAP CITY AND COUNTY OF SAN FRANCISCO OCEAN AVENUE COMMUNITY BENEFITS DISTRICT

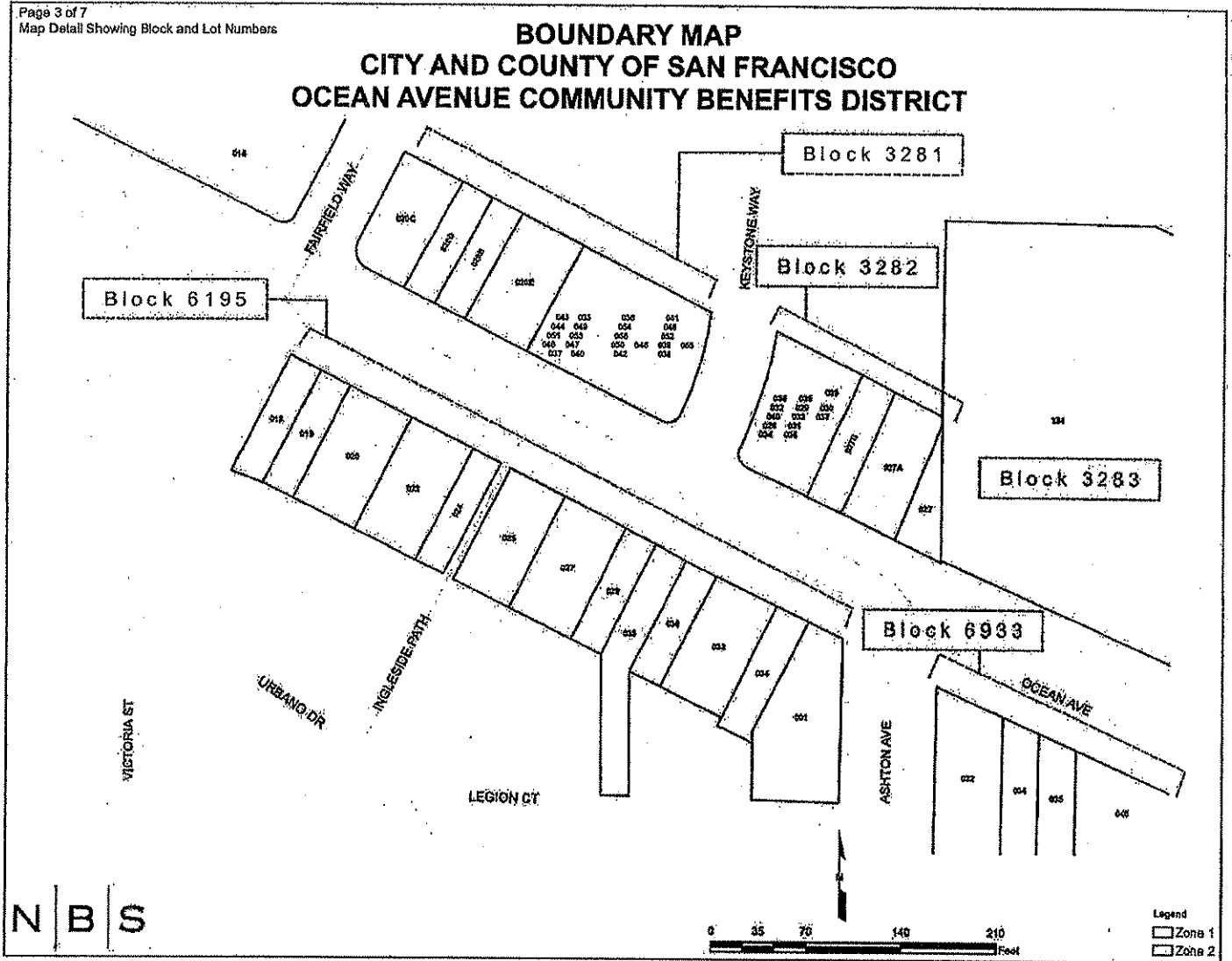




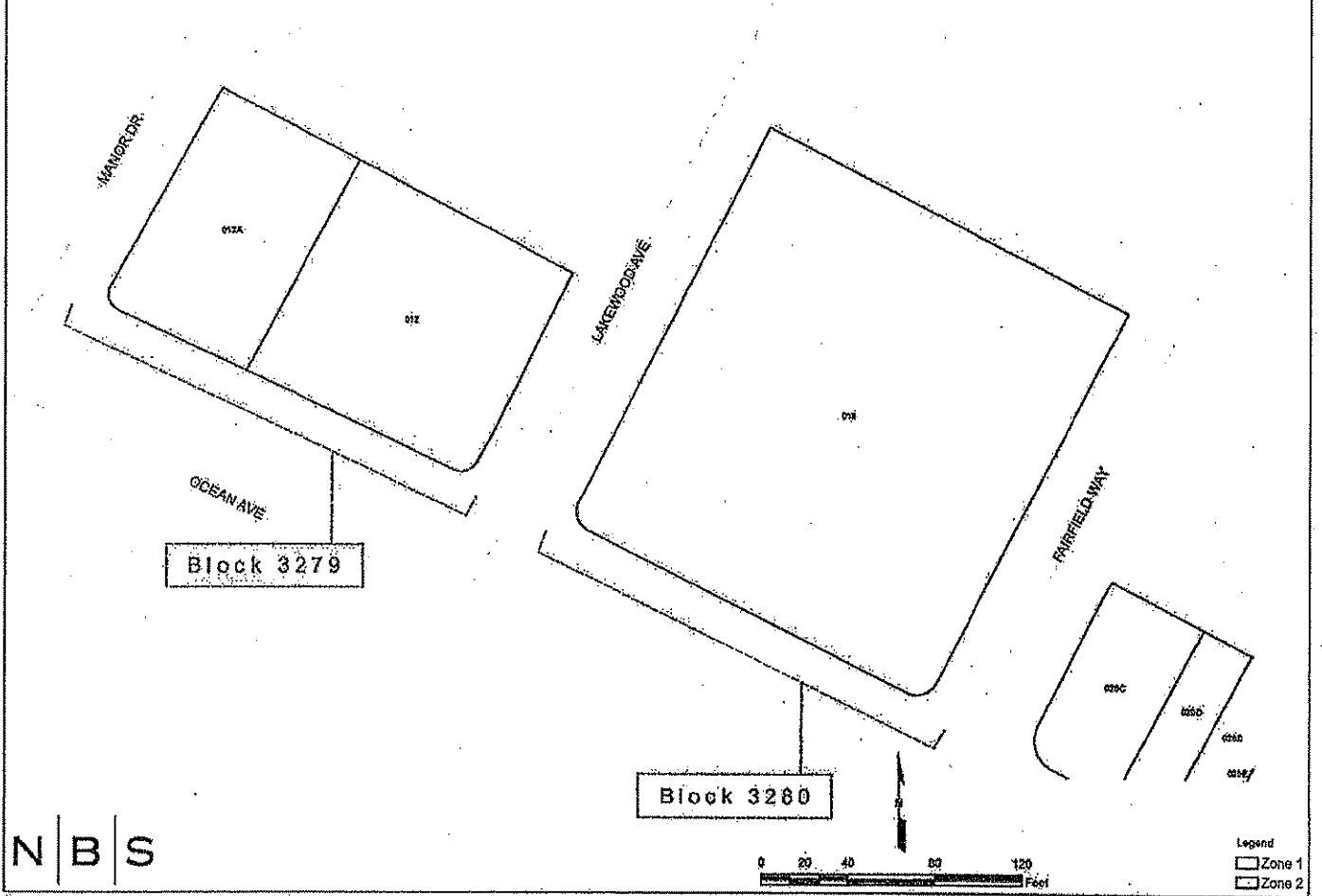
### BOUNDARY MAP CITY AND COUNTY OF SAN FRANCISCO OCEAN AVENUE COMMUNITY BENEFITS DISTRICT



### BOUNDARY MAP CITY AND COUNTY OF SAN FRANCISCO OCEAN AVENUE COMMUNITY BENEFITS DISTRICT



### BOUNDARY MAP CITY AND COUNTY OF SAN FRANCISCO OCEAN AVENUE COMMUNITY BENEFITS DISTRICT



## **APPENDIX B – ASSESSMENT ROLL**

Following is a list of all of the Assessor's Parcels, including the Assessor's Parcel number, Owner, Benefit Zone, Linear Street Frontage, Commercial Property Building Square Footage, and Commercial Property Lot Square Footage subject to the Ocean Avenue CBD annual assessment.



City and County of San Francisco  
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APN	Owner	Situs	Benefit Zone(1)	Linear Street Frontage	Commercial Property Building Square Footage	Commercial Property Lot Square Footage	Cleaning, Maintenance, & Safety Program Assessment	Marketing Program Assessment	Total Assessment
3179 -010	SAN FRANCISCO COMMUNITY COLLEGE	OCEAN AVE	2	934.320	0	0	\$12,987.05	\$0.00	\$12,987.05
3180 -001(2)	CITY PROPERTY	11 PHELAN AVE	1	572.127	0	70,073	20,641.34	0.00	20,641.34
3180 -003	PACIFIC RESOURCES ASSOCS LLC	1150 OCEAN AVE	1	514.041	15,035	80,150	13,509.00	3,881.03	17,390.03
3191 -010	WU CHUNG LIVING TRUST	1700 OCEAN AVE	1	95.304	5,462	9,861	2,504.59	878.45	3,383.04
3196 -004	CHUA ELIZABETH T	1500 OCEAN AVE	1	60.377	3,500	2,509	1,586.71	457.75	2,044.46
3196 -005	GIN LIP WEI & JENNY	1508 OCEAN AVE	1	52.807	2,074	2,330	1,387.77	294.52	1,682.29
3196 -006	PROTZEL STEVEN J SEPARATE PRPT	1524 OCEAN AVE	1	46.083	2,591	2,591	1,211.06	359.11	1,570.17
3196 -010	MORESI KENNETH L & ANNA TRUST	1552 OCEAN AVE	1	60.070	4,505	6,006	1,578.64	665.77	2,244.41
3196 -011	MALAKIS FRANCES	1600 OCEAN AVE	1	99.930	6,165	9,992	2,626.16	960.09	3,586.25
3196 -017	LALLEMAND FAMILY LVG TRUST	1644 OCEAN AVE	1	102.806	5,571	11,142	2,701.74	925.90	3,627.64
3196 -028	BANKS THURMIL L REVOC TRUST	1532 OCEAN AVE	1	20.110	998	1,995	528.49	165.78	694.27
3196 -029	LEE PAUL T L	1540 OCEAN AVE	1	38.020	3,420	3,802	999.17	484.56	1,483.73
3197 -006	RICHARD LAWRENCE / SHARON K SARO	315 GRANADA AVE	1	38.671	2,259	3,280	1,016.27	341.28	1,357.55
3197 -007	RICHARD LAWRENCE / SHARON K SARO	1410 OCEAN AVE	1	30.000	2,550	2,996	788.40	365.74	1,154.14
3197 -008	RICHARD LAWRENCE / SHARON K SARO	1418 OCEAN AVE	1	27.000	2,625	4,042	709.56	402.93	1,112.49
3197 -010	SAINT ANTHONY REAL ESTATE LLC	1490 OCEAN AVE	1	117.118	5,118	10,236	3,077.86	850.61	3,928.47
3198 -011	BAIK FAMILY TRUST 2004	1201 PLYMOUTH AVE	1	36.290	3,223	3,223	953.70	446.71	1,400.41
3198 -012	VISTA PROPERTIES INC	1312 OCEAN AVE	1	38.084	2,284	3,807	1,000.85	358.62	1,359.47
3198 -013	WATERS BEN J 1996 REVOC TRUST	1320 OCEAN AVE	1	30.000	2,397	2,996	788.40	348.73	1,137.13
3198 -014	CHAN RAYMOND K & LO IVY S L	1326 OCEAN AVE	1	30.000	1,320	3,000	788.40	229.32	1,017.72
3198 -015	CHAN RAYMOND K & LO IVY S L	1334 OCEAN AVE	1	30.000	1,320	3,000	788.40	229.32	1,017.72
3198 -016	LV MIGUEL F & JOANNE P NAVARRO	1344 OCEAN AVE	1	32.000	0	0	840.96	0.00	840.96
3199 -017	SAN FRANCISCO COMMUNITY COLLEGE	1298 OCEAN AVE	1	114.978	6,100	11,120	3,021.62	984.01	4,005.63
3279 -012	KWAN STEPHEN T K	2020 OCEAN AVE	1	115.376	12,015	11,661	3,032.08	1,655.51	4,687.59
3279 -012A	KWAN STEPHEN T K	2000 OCEAN AVE	1	81.486	0	8,058	2,141.45	222.40	2,363.85
3280 -018	VOICE OF PENTECOST INC	1990 OCEAN AVE	1 - NPSO, RI	194.696	0	0	4,088.62	0.00	4,088.62
3281 -020B	ISH ALBERT D CHURCH-ISH MAR JR	1938 OCEAN AVE	1	25.000	2,604	2,500	657.00	358.04	1,015.04
3281 -020C	NGUYEN LAMAX V	1944 OCEAN AVE	1 - NPSO, RI	55.728	0	0	1,170.29	0.00	1,170.29
3281 -020D	CANELO JOSE & BONK DAVID A TRUST	1942 OCEAN AVE	1	25.000	1,871	2,495	657.00	276.57	933.57
3281 -020E	KONG FEI YAN	1930 OCEAN AVE	1	49.170	2,950	4,917	1,292.19	463.18	1,755.37
3281 -035	GUNTHER SURVIVING SPOUSES TRUST	1920 OCEAN AVE	1	25.166	4,949	2,195	661.36	609.92	1,271.28
3281 -036	BRODSKI IAKOV	1920 OCEAN AVE #A	1	4.793	0	0	125.96	0.00	125.96
3281 -037	TAM SUI PING	1920 OCEAN AVE	1	4.793	0	0	125.96	0.00	125.96
3281 -038	ALIEVA SABINA & GIRSH ALEX	1920 OCEAN AVE	1	4.793	0	0	125.96	0.00	125.96
3281 -039	LUKI MIRA	1920 OCEAN AVE	1	4.793	0	0	125.96	0.00	125.96
3281 -040	LICON SOPHIA M	1920 OCEAN AVE	1	4.793	0	0	125.96	0.00	125.96
3281 -041	GARCIA MARCO	1920 OCEAN AVE #1F	1	4.793	0	0	125.96	0.00	125.96
3281 -042	CHEN WEI GANG & SHAO XIA	1920 OCEAN AVE #1G	1	4.793	0	0	125.96	0.00	125.96

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APN	Owner	Situs	Benefit Zone(1)	Linear Street Frontage	Commercial Property Building Square Footage	Commercial Property Lot Square Footage	Cleaning, Maintenance, & Safety Program Assessment	Marketing Program Assessment	Total Assessment
3281-043	DAVILA YI WEN	1920 OCEAN AVE	1	4,793	0	0	125.96	0.00	125.96
3281-044	KORETS LEONID & LIDIYA	1920 OCEAN AVE	1	4,793	0	0	125.96	0.00	125.96
3281-045	CHANG MICHELLE	1920 OCEAN AVE	1	4,793	0	0	125.96	0.00	125.96
3281-046	CRISOSTO ANITA M & MORALES CES	1920 OCEAN AVE	1	4,793	0	0	125.96	0.00	125.96
3281-047	INFANTE REMIGIO V	1920 OCEAN AVE	1	4,793	0	0	125.96	0.00	125.96
3281-048	CORREA JORGE	1920 OCEAN AVE	1	4,793	0	0	125.96	0.00	125.96
3281-049	JUNQUEIRA POLIANA	1920 OCEAN AVE #2G	1	4,793	0	0	125.96	0.00	125.96
3281-050	PENN ANDREW & CALLAGHAN KATHLE	1920 OCEAN AVE	1	4,793	0	0	125.96	0.00	125.96
3281-051	YEUNG KWAI C & SIU LUEN Y	1920 OCEAN AVE	1	4,793	0	0	125.96	0.00	125.96
3281-052	CHEUNG CHRISTINE & SINGH INDER	1920 OCEAN AVE	1	4,793	0	0	125.96	0.00	125.96
3281-053	MALICK ELIA JAMES	1920 OCEAN AVE #3D	1	4,793	0	0	125.96	0.00	125.96
3281-054	PARKER CHRISTINA S K	1920 OCEAN AVE	1	4,793	0	0	125.96	0.00	125.96
3281-055	LEUNG JOE W K & ZHU YUN YEN	1920 OCEAN AVE	1	4,793	0	0	125.96	0.00	125.96
3281-056	TSAI JAMES IMING & CHENG TAO P	1920 OCEAN AVE	1	4,793	0	0	125.96	0.00	125.96
3282-027	STELLA NG TRUST	1900 OCEAN AVE	1	39,655	2,377	1,981	1,042.13	318.54	1,360.67
3282-027A	MCKEEVER PROPERTIES	1906 OCEAN AVE	1	46,369	0	0	1,218.58	0.00	1,218.58
3282-027B	PANG ANNA & TET 1990 FAMILY TR	1910 OCEAN AVE	1	25,000	2,503	2,503	657.00	346.92	1,003.92
3282-028	BALAGRO FELICIDAD F LVG TR	8 KEYSTONE WAY #A	1	6,537	803	655	171.79	107.21	279.00
3282-029	CHAN LAI KWAN ROSALINE	8 KEYSTONE WAY #1A	1	4,906	0	0	128.93	0.00	128.93
3282-030	WONG ALBERT	8 KEYSTONE WAY #1B	1	4,906	0	0	128.93	0.00	128.93
3282-031	VILLALUNA MARIA	8 KEYSTONE WAY #1C	1	4,906	0	0	128.93	0.00	128.93
3282-032	BRAXTON RUBY J	8 KEYSTONE WAY #1D	1	4,906	0	0	128.93	0.00	128.93
3282-033	DONALDO RHEA R	8 KEYSTONE WAY #2A	1	4,906	0	0	128.93	0.00	128.93
3282-034	MANN CHARLES D REVOC TRUST	8 KEYSTONE WAY #2B	1	4,906	0	0	128.93	0.00	128.93
3282-035	SCHWARTZ ANDREW	8 KEYSTONE WAY #2C	1	4,906	0	0	128.93	0.00	128.93
3282-036	TORRES BARVO C & PILAR R	8 KEYSTONE WAY #2D	1	4,906	0	0	128.93	0.00	128.93
3282-037	BARRE FARAH	8 KEYSTONE WAY #3A	1	4,906	0	0	128.93	0.00	128.93
3282-038	GRANAT SIMON	8 KEYSTONE WAY #3B	1	4,906	0	0	128.93	0.00	128.93
3282-039	WONG EDMOND & SONIA	8 KEYSTONE WAY #3C	1	4,906	0	0	128.93	0.00	128.93
3282-040	DEVYATOVA YELENA & DEVYATOV MI	8 KEYSTONE WAY	1	4,906	0	0	128.93	0.00	128.93
3283-087	ALLEN STEEN C	1830V OCEAN AVE	1	0,000	0	0	0.00	0.00	0.00
3283-124	1830-1850 OCEAN AVENUE LLC	1830 OCEAN AVE	1	278,074	53,004	38,524	7,307.78	6,946.71	14,254.49
3283-195	SIU YEE KEUNG & MEE JING	1728 OCEAN AVE	1	210,780	23,931	23,931	5,539.30	3,316.84	8,856.14
6915-001	PANESSI PARTNERS LLC	1901 OCEAN AVE	1	87,640	11,182	6,756	2,303.18	1,427.67	3,730.85
6915-018	TSANG/HO FAMILY TRUST	1973 OCEAN AVE	1	25,000	2,550	2,291	657.00	346.28	1,003.28
6915-019	ZARACOTAS TIMOLEON & CORINNE	1967 OCEAN AVE	1	25,000	0	0	657.00	0.00	657.00
6915-020	ZARACOTAS TIMOLEON & CORINNE	1959 OCEAN AVE	1	50,000	3,000	4,499	1,314.00	457.17	1,771.17
6915-022	RAMALLAH CLUB INC THE	1951 OCEAN AVE	1 - NPSO, RI	50,000	0	0	1,050.00	0.00	1,050.00

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APN	Owner	Situs	Benefit Zone(1)	Linear Street Frontage	Commercial Building Square Footage	Commercial Property Lot Square Footage	Cleaning, Maintenance, & Safety Program Assessment	Marketing Program Assessment	Total Assessment
6915 -024	PHAN TOM TUAN	1947 OCEAN AVE	1	22,000	1,640	1,977	578.16	236.61	814.77
6915 -025	LAU JEFFREY & SOPHIE	1939 OCEAN AVE	1	47,000	2,470	4,230	1,235.16	390.92	1,626.08
6915 -027	KIMURA FAMILY MARITAL TR	1931 OCEAN AVE	1	50,000	3,450	4,499	1,314.00	507.12	1,821.12
6915 -029	PRANDO DECEDENTS TRUST	1927 OCEAN AVE	1	25,000	2,000	2,247	657.00	284.02	941.02
6915 -032	KARP INV LTD PARTNERSHIP	1917 OCEAN AVE	1	50,000	3,600	4,499	1,314.00	523.77	1,837.77
6915 -034	DIFFLEY VINCENT & MARGARET	1907 OCEAN AVE	1	25,000	2,250	2,430	657.00	316.82	973.82
6915 -035	TAM KENNETH Y & DORIS REVOC TR	38 LEGION CT	1	25,000	4,553	4,438	657.00	627.87	1,284.87
6915 -036	CHAN RAYMOND KWOK & LIN IVY LO	1921 OCEAN AVE	1	25,000	3,632	3,632	657.00	503.40	1,160.40
6933 -032	ASTRONOMICAL SOG OF THE PAC	390 ASHTON AVE	1 - NPSO, RI	54,340	0	0	1,141.14	0.00	1,141.14
6933 -034	LEGARZA REVOCABLE TRUST	1831 OCEAN AVE	1	27,170	3,718	2,561	714.03	483.38	1,197.41
6933 -035	TOM GARRET & ANITA TRUST	1827 OCEAN AVE	1	27,170	2,855	2,500	714.03	385.91	1,099.94
6933 -040	LAM WAI HA & JULIA W S	1801 OCEAN AVE	1 - NPSO, RI	134,420	0	0	2,822.82	0.00	2,822.82
6934 -001	LAN FONG HUEY	1701 OCEAN AVE	1	77,640	5,095	5,239	2,040.38	710.14	2,750.52
6934 -022	FRANCIS JOYCEDA	1799 OCEAN AVE	1	77,640	1,108	8,171	2,040.38	348.51	2,388.89
6934 -025	CHRISTOPHERSON HENRY E & CHRIS	1725 OCEAN AVE	1	51,760	5,250	5,858	1,360.25	744.43	2,104.68
6934 -027	BASSETT WILLIAM J JR & BASSETT	1719 OCEAN AVE	1	25,880	3,300	3,361	680.13	459.06	1,139.19
6935 -001	WILLART LLC	1271 CAPITOL AVE	1	25,880	3,900	2,692	680.13	507.20	1,187.33
6935 -020	WILLART LLC	1631 OCEAN AVE	1 - NPSO, RI	25,880	0	0	543.48	0.00	543.48
6935 -021	WILLART LLC	1625 OCEAN AVE	1	25,880	1,880	3,367	680.13	301.61	981.74
6935 -026	WILLART LLC	1607 OCEAN AVE	1	77,640	3,825	9,099	2,040.38	675.71	2,716.09
6935 -027	LAN FONG HUEY	1641 OCEAN AVE	1	77,640	6,180	7,866	2,040.38	903.08	2,943.46
6936 -001	HUEY LILY 1996 REV LIV TR	295 MIRAMAR AVE	1	25,880	3,150	2,596	680.13	421.30	1,101.43
6936 -010	BRANNAGAN-BROWN MARY	1549 OCEAN AVE	1	25,880	5,512	2,812	680.13	689.44	1,369.57
6936 -011	JEW HOWARD & ANNE REVOCABLE TR	1543 OCEAN AVE	1	25,880	1,700	3,145	680.13	275.50	955.63
6936 -012	LEI JOANNA L M	1537 OCEAN AVE	1	25,880	2,650	2,975	680.13	376.26	1,056.39
6936 -013	SOSS EDWARD H	1533 OCEAN AVE	1	25,880	2,129	2,809	680.13	313.85	993.98
6936 -015	DEVEREAUX FAMILY TR	1521 OCEAN AVE	1	25,880	1,595	3,097	680.13	262.52	942.65
6936 -016	LEW ANGELA	1515 OCEAN AVE	1	25,880	5,449	2,931	680.13	685.73	1,365.86
6936 -017	LIN JOHNSON	1507 OCEAN AVE	1	25,880	2,050	2,786	680.13	303.89	984.02
6936 -018	LAI EDMUND & HERMANCIA	1523-15 25 OCEAN AVE	1	6,470	1,984	661	170.03	238.44	408.47
6936 -019	LAI EDMUND & HERMANCIA	1523-15 25 OCEAN AVE	1	6,470	0	0	170.03	0.00	170.03
6936 -020	LAI EDMUND & HERMANCIA	1523-15 25 OCEAN AVE	1	6,470	0	0	170.03	0.00	170.03
6936 -021	LAI EDMUND & HERMANCIA	1523-15 25 OCEAN AVE	1	6,470	0	0	170.03	0.00	170.03
6941 -058	HEDDA KORNFELD FAMILY LP I	290 MIRAMAR AVE	1	25,880	5,962	2,887	680.13	741.46	1,421.59
6941 -059	PLARINOS DIONISIOS & JOANNA	1441 OCEAN AVE	1	25,880	1,350	2,709	680.13	224.62	904.75
6941 -060	CHU OTTO-PAK-HANG & KAREN P K	1437 OCEAN AVE	1	25,880	3,640	2,500	680.13	473.04	1,153.17
6941 -061	WEI ALAN & LAU ANGEL HIN	1431 OCEAN AVE	1	25,880	3,500	2,330	680.13	452.81	1,132.94
6941 -062	SF MUNICIPAL RAILWAY EMPL FED	1425 OCEAN AVE	1	25,880	3,880	3,472	680.13	526.51	1,206.64

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6941-063	ZHANG HONG W & CHUNG SIU Y	1415 OCEAN AVE	1	25.880	0	3,245	680.13	89.56	769.69
6941-064	ZHANG HONG W & CHUNG SIU Y	1415 OCEAN AVE	1	25.880	6,285	3,079	680.13	671.62	1,351.75
6941-068	BAYSAC BELANIO G & CARMEN S	1401 OCEAN AVE	1	51.760	0	0	1,360.25	0.00	1,360.25
6942-050	INGLESIDE UNITED PRESBYTERIAN	1345 OCEAN AVE	1 - NPSO, RI	103.520	0	0	2,173.92	0.00	2,173.92
6942-054	ZHANG YAN LI & HUANG YONG YUAN	1325 OCEAN AVE	1	25.880	1,530	2,773	680.13	246.36	926.49
6942-055	NG GARY & SOPHIA FAMILY TRUST	1315 OCEAN AVE	1	51.760	5,362	6,124	1,360.25	764.20	2,124.45
6942-058	SHUM FAMILY TRUST	1301 OCEAN AVE	1	51.760	1,050	5,453	1,360.25	267.05	1,627.30
6943-049	DECLARATION OF THE SHEA TRUST	1299 OCEAN AVE	1	77.640	0	9,265	2,040.38	255.71	2,296.09
6943-054	MCDONALDS CORPORATION	1201 OCEAN AVE	1	155.280	1,505	19,890	4,080.76	716.13	4,796.89
6944-001	CASTLE SUSAN	295,297,299 LEE AVE	1	25.880	1,831	2,439	680.13	270.56	950.69
6944-040	PAC GAS & ELECTRIC CO	1125V OCEAN AVE	1	25.880	0	2,644	680.13	72.97	753.10
6944-043	ELEVEN ELEVEN OCEAN LLC	1107 OCEAN AVE	1	38.820	2,805	3,990	1,020.19	421.81	1,442.00
6944-044	HUSAIN KHURSHEED	270 BRIGHTON AVE	1	77.640	0	11,425	2,040.38	315.33	2,355.71
6944-046	SUNNYSIDE VILLAS LLC	1117 OCEAN AVE	1	5.387	0	0	141.57	0.00	141.57
6944-047	SUNNYSIDE VILLAS LLC	1117 OCEAN AVE	1	5.387	0	0	141.57	0.00	141.57
6944-048	SUNNYSIDE VILLAS LLC	1117 OCEAN AVE	1	5.387	0	0	141.57	0.00	141.57
6944-049	SUNNYSIDE VILLAS LLC	1117 OCEAN AVE	1	5.387	0	0	141.57	0.00	141.57
6944-050	SUNNYSIDE VILLAS LLC	1117 OCEAN AVE	1	5.387	0	0	141.57	0.00	141.57
6944-051	SUNNYSIDE VILLAS LLC	1117 OCEAN AVE	1	5.387	0	0	141.57	0.00	141.57
6944-052	SUNNYSIDE VILLAS LLC	1117 OCEAN AVE	1	5.387	0	0	141.57	0.00	141.57
6944-053	SUNNYSIDE VILLAS LLC	1117 OCEAN AVE	1	5.387	0	0	141.57	0.00	141.57
6944-054	SUNNYSIDE VILLAS LLC	1117 OCEAN AVE	1	5.387	0	0	141.57	0.00	141.57
6944-055	SUNNYSIDE VILLAS LLC	1117 OCEAN AVE #204	1	5.387	0	0	141.57	0.00	141.57
6944-056	SUNNYSIDE VILLAS LLC	1125 OCEAN AVE #101	1	5.385	1,074	624	141.52	136.44	277.96
6944-057	SUNNYSIDE VILLAS LLC	1125 OCEAN AVE #102	1	5.385	699	624	141.52	94.81	236.33
6945-034	PAKEMAN-ROSE MILDRED E	1037 OCEAN AVE	1	25.880	2,600	2,760	680.13	364.78	1,044.91
6945-035	SEAN WILLIE & LINDA	1031 OCEAN AVE	1	25.880	3,320	2,543	680.13	438.71	1,118.84
6945-036	HUEY HOWARD P BYPASS TRUST	1025 OCEAN AVE	1	25.880	3,500	3,005	680.13	471.44	1,151.57
6945-041	OCEAN INVESTMENT CO	1015 OCEAN AVE	1	51.760	7,492	5,514	1,360.25	983.60	2,344.05
6945-043	ESSAFF UNA B TRUST	1051 OCEAN AVE	1	51.760	626	4,687	1,360.25	198.85	1,559.10
6945-045	FREID NORMAN T & BOEL M TRUST	1001 OCEAN AVE	1	51.760	6,450	4,938	1,360.25	852.24	2,212.49
6946-061	CITY PROPERTY	OCEAN AVE	2	259,760	0	0	3,610.66	0.00	3,610.66
6946-030	KUMAR SURINDER	999 OCEAN AVE	1	76.685	775	5,584	2,015.28	240.14	2,255.42
6948-023	CAL SCHOOL OF MECHANICAL ARTS	755 OCEAN AVE	2	338.504	0	0	4,705.21	0.00	4,705.21
<b>Totals:</b>				<b>7,745.687</b>	<b>353,420</b>	<b>578,079</b>	<b>\$186,923.06</b>	<b>\$53,250.63</b>	<b>\$240,173.69</b>

(1) NPSO, RI Includes Non-Profit Service Organization, and Religious Institutional Property designation

(2) The Commercial Property Lot Square Footage represents the Phelan Loop Parcel Lot Square Footage subject to the additional Phelan Loop Parcel assessment.



**NOTICE OF PUBLIC HEARING  
AND ASSESSMENT BALLOT PROCEEDING**

**TO:**           «Name»  
                  Assessor's Parcel No. «BlockLot»  
                  «Situs»  
                  «No»

**FROM:**       John Arntz, Director  
                  Department of Elections  
                  City and County of San Francisco

**SUBJECT:**   Notice of Public Hearing and Assessment Ballot Proceeding to Consider the  
                  Establishment of the property-based special assessment district, to be known as the  
                  "Ocean Avenue Community Benefits District"

The purpose of this notice is to provide you with information about an assessment ballot proceeding and public hearing being conducted by the Board of Supervisors, and its effect on real property that you own. This notice is being sent to you in accordance with Resolution No. \_\_\_-10, passed by the Board of Supervisors (a copy of which is enclosed), California Government Code Section 53753, and California Constitution Article XIID Section 4(c).

Please be advised of the following:

- The Board of Supervisors will hold a public hearing on the proposed assessment at 3:00 p.m. on November 16th, 2010 or as soon thereafter as the matter may be heard, in the Board's Legislative Chambers, Second Floor, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, California, 94102. At this hearing, the Board will hear testimony regarding the proposed assessment. The reason for the assessment is to establish the property-based business improvement district (community benefit district) to be known as the "Ocean Avenue Community Benefits District". The annual assessments would last for 15 years, the services will be implemented through June 30, 2025. The boundaries of the Ocean Avenue Community Benefits District are described in the enclosed Resolution passed by the Board of Supervisors.
- The Ocean Avenue Community Benefits District will fund the following services:
  - 1) Cleaning, Maintenance and Safety Program
  - 2) Marketing, Streetscape Improvements, and Beautification Program
  - 3) Management and Operations
- Examples of services and improvements to be funded under the budget category "Cleaning, Maintenance and Safety Program" include: continuous sidewalk sweeping, refuse removal, regularly scheduled steam cleaning, pressure washing, graffiti removal, tree pruning and watering, tree well weeding with crushed granite replenishment, and a variety of safety services efforts.



- Examples of services and improvements to be funded under the budget category “Marketing, Streetscape Improvements, and Beautification Program” include: advocacy, beautification, capital improvements, business retention activities, newsletters, advertisements, brochures, district website promotion, holiday decorations, concerts, street festivals and other special events, banners and public art.
- Examples of services to be funded under the budget category “Management and Operations” include: a dedicated Ocean Avenue part-time executive director who will serve as a focal point person and advocate for Ocean Avenue, and who will build community relationships, involvement, and support and will oversee the services and fundraising for district related efforts.
- The proposed fiscal year 2010-2011 assessment for your parcel is ~~is «Voter Proportional»~~. The duration of the assessment district is 15 years, the authority to levy assessments on your property would be fifteen (15) years, with services to be implemented January 1, 2011 through June 30, 2025. The Ocean Avenue CBD assessment will appear as a separate line item on the property tax bill; except that for Fiscal Year 2010/11 only, the City will send out a separate direct bill to each property owner for payment of the assessment amount. The final assessment would be collected on your property tax bill for fiscal year 2024-2025. The City will directly bill any Assessor’s Parcels which do not regularly receive a property tax bill from the City. The amount of the annual assessment for years 4 through 15 would be subject to annual adjustment by an amount not to exceed the change in the Consumer Price Index for All Urban Consumers in the San Francisco-Oakland-San Jose Consolidated Metropolitan Statistical Area, or a maximum of 3%, whichever is less. The amount of your assessment could also be reduced in a subsequent fiscal year if the amount collected during the prior fiscal year exceeded the costs incurred of providing authorized services in the district. In such a case, your assessment for the subsequent year would be reduced by the share of the excess funds collected that is allocable to your property.
- The total amount chargeable to the entire assessment district would be \$239,578 in the first year. The total amount assessed to the entire assessment district over the life of the district (*assuming the maximum annual CPI adjustment of 3% in years 4 through 15*) would be \$4,220,835. The maximum amount assessed to the entire assessment district for each of the five fiscal years is set forth in the following table.

**TOTAL MAXIMUM AMOUNT OF ASSESSMENTS ON ALL PARCELS INCLUDED IN THE PROPOSED DISTRICT FOR EACH FISCAL YEAR, ASSUMING MAXIMUM ANNUAL CPI INCREASE OF 3% IN YEARS 4 THROUGH 15 ONLY**

Fiscal Year	Total Maximum Annual Assessment Revenue(1)
2010/11	\$239,578
2011/12	239,578



2012/13	239,578
2013/14	246,765
2014/15	254,168
2015/16	261,793
2016/17	269,647
2017/18	277,737
2018/19	286,069
2019/20	294,651
2020/21	303,490
2021/22	312,595
2022/23	321,973
2023/24	331,632
2024/25	341,581
<b>Total Maximum Assessment Revenue</b>	<b>\$4,220,835</b>

(1) The total maximum amount assessed to property owners within the Ocean Avenue CBD each Fiscal Year.

- The first year annual assessment rate for each parcel is calculated at

<b>Zone 1 - Assessment Category Description</b>	<b>Fiscal Year 2010/11 Assessment Rate</b>
Linear Street Frontage for Assessor's Parcels designated as: Commercial Property Use Residential Property Use Public Property Use Phelan Loop Parcel and Reconfigured Parcel Uses	\$26.28 per Linear Street Foot
Linear Street Frontage for Assessor's Parcels designated as: Non-Profit Service Organization Property Use or Religious Institutional Property Use	\$21.00 per Linear Street Foot
Building Square Footage for Assessor's Parcels designated as: Commercial Property Use	\$0.111 per Building Square Foot
Lot Square Footage for Assessor's Parcels designated as: Commercial Property Use	\$0.0276 per Lot Square Foot
Lot Square Footage for Phelan Parcel Corner Landscaped Garden & Phelan Parcel Bus Turnaround	\$1.31 per Lot Square Foot
Lot Square Footage for Phelan Parcels Fronting and Accessed off of the Phelan Plaza* <i>*Will only take effect following the construction of the individual proposed developments including the Phelan Plaza, Phelan mixed use housing and expanded City College developments.</i>	\$0.0574 per Lot Square Foot

<b>Zone 2 - Assessment Category Description</b>	<b>Fiscal Year 2010/11 Assessment Rate</b>
Linear Street Frontage for Assessor's Parcels designated as: Educational Institutional Property Use Public Property Use	\$13.90 per Linear Street Foot



- In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made a part of the official public record in this matter, and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, San Francisco Board of Supervisors, Room 244, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, California, 94102.

### **ASSESSMENT BALLOT PROCEDURES**

Enclosed with this notice, you will find an assessment ballot. Please follow the directions on the assessment ballot to express your view on the proposed assessment. The following is a summary of the procedures governing the return and tabulation of ballots. More detailed information concerning the ballot procedures is set forth in the enclosed "Procedures for the Completion, Return and Tabulation of Ballots," which is also available on the City's website at [www.sfelections.org](http://www.sfelections.org).

1. You may mail or deliver your ballot to the Director of Elections at the Post Office Box location shown on the ballot, or submit the ballot in person at the Department of Elections, located at City Hall Room 48.
2. Ballots may be sent or delivered to the Director of Elections at any time, but **MUST** be received by the Director of Elections not later than the conclusion of the public input portion of the public hearing on November 16, 2010 in the Board's Legislative Chambers, Second Floor, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, California, 94102, scheduled to commence at 3 p.m. or as soon thereafter as the matter may be heard. Depending on the nature and extent of public testimony, the public input portion of the hearing may not be concluded on that date, but may instead be continued to a later date. At any time prior to the conclusion of the public input portion of the hearing, you may withdraw your ballot and submit a new or changed ballot in place of the ballot previously submitted. If the public input portion of the hearing is continued to a later date, the deadline for submission of ballots will likewise be extended until the close of public input on that date.
3. The Director of Elections will pick up mailed ballots at 12 o'clock noon from the designated Department of Elections Post Office box on the date scheduled for the public hearing. To ensure that mailed ballots are received by the Director of Elections prior to the conclusion of the public input portion of the hearing, mailed ballots must be received by the Director of Elections by 12 o'clock noon on November 16, 2010. Mailed ballots received after 12 o'clock noon on the date scheduled for the public hearing will only be counted if the public input portion of the hearing is continued to a later date and the ballots are received by the Director of Elections prior to the conclusion of the public input portion of the hearing.





4. Only ballots with original signatures - not photocopies of signatures - will be accepted.
5. The Director of Elections will not accept or tabulate a ballot:
  - which is a photocopy without an original signature;
  - which is unsigned;
  - which lacks an identifiable "yes" or "no" vote; or
  - which appears to have been tampered with based upon its appearance or method of delivery.
6. The assessment ballot shall be treated as a disclosable public record during and after the tabulation of the assessment ballots.
7. At the conclusion of the public input portion of the public hearing, the Director of Elections will tabulate the ballots, including those received during the public input portion of the public hearing. If the number of ballots received at the hearing is such that it is not feasible to accurately tabulate the ballots that day, the Board of Supervisors may continue the meeting to a later date for the purpose of obtaining the final tabulation.
8. The Board of Supervisors will not impose the assessment if there is a majority protest. A majority protest exists if, upon the conclusion of the hearing, ballots submitted in opposition to the assessment exceed the ballots submitted in favor of the assessment. Ballots shall be weighted according to the proposed financial obligation of the affected property.

**Should you have any questions, please call or write to:** Mr. Cuong Quach, Department of Elections, Room 48, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, California, 94102. Telephone: (415) 554-4342.



**Ballot on Assessment for the establishment of a  
property-based business improvement district to be known as the  
"Ocean Avenue Community Benefits District"**

**«Barcode»**

Assessor's Parcel Number: \_\_\_\_\_ Address of Parcel: \_\_\_\_\_

Property Owner's Name: \_\_\_\_\_

Property Owner's Address: \_\_\_\_\_

Proposed Assessment for this Parcel Beginning 2010-2011 Fiscal Year: \_\_\_\_\_ of Total: \$ \_\_\_\_\_

Proposed Range or Inflation Adjustment Formula Year 4 through 15 assessments may be subject to annual adjustments based upon changes in the Bay Area Consumer Price Index (CPI) for all urban consumers, not to exceed 3% per year.

**Instructions for Completing and Delivering this Ballot**

\*To express your view on the proposed assessment and the proposed range or inflation adjustment, check above the line before the word "YES" or "NO" below, then sign and date the ballot.

\_\_\_\_\_ Yes, I approve the proposed annual assessment described above on the parcel identified in this ballot, and I understand that my assessment could be subject to the inflation adjustment formuladescribed above.

\_\_\_\_\_ No, I do not approve the proposed annual assessment, on the parcel identified in this ballot, nor the inflation adjustment formula described above.

I hereby declare by penalty of perjury that I am a record owner or authorized agent for the record owner of the parcel listed above.

\_\_\_\_\_  
Signature of Record Owner or Authorized Agent Date

\_\_\_\_\_  
Print Name of Record of Owner, If Agent of Owner, State Authorization

**\*After completing your ballot, please mail to:**  
Director  
Department of Elections  
P.O. Box \_\_\_\_\_  
San Francisco, CA 94142-2189

**To hand deliver, please use the following address:**  
Director  
Department of Elections  
City Hall  
1 Dr. Carlton B. Goodlett Place, Room 48  
San Francisco, CA 94102

Ballots may also be delivered to the Director at the Public Hearing prior to the close of public testimony.

\*Ballots may be sent or delivered to the Director at any time, but MUST be received in the mail not later than 12 P.M. (noontime) on the day of the public hearing or in person before the condusion of the public testimony portion of the public hearing on the proposed assessment and assessment range. That hearing is set for 3:00 p.m. on



September 16, 2010. Ballots received after that time will only be counted if the Board elects to continue public  
session until a later date.

