

1 [Assessment Ballots for City Parcels, to Form the Proposed Civic Center Community Benefit
2 District]

3 **Resolution authorizing the Mayor to cast ballots in the affirmative on behalf of the City**
4 **and County of San Francisco as owner of eleven (11) parcels of real property over**
5 **which the Board of Supervisors has jurisdiction, where those parcels would be subject**
6 **to assessment in the proposed property and business improvement district to be**
7 **named the Civic Center Community Benefit District.**

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9 WHEREAS, Pursuant to the Property and Business Improvement Law of 1994,
10 California Streets and Highways Code Sections 36600 *et seq.* (the "Act"), as augmented by
11 Article 15 of the San Francisco Business and Tax Regulations Code ("Article 15"), the Board of
12 Supervisors adopted Resolution No. 514-10 on November 2, 2010, entitled "Resolution
13 declaring the intention of the Board of Supervisors to establish a property-based business
14 improvement district to be known as the "Civic Center Community Benefit District (CBD)," to
15 order the levy and collection of a multi-year assessment, and setting a time and place for a
16 public hearing thereon" (the "Resolution of Intention," BOS File No. 101318); and,

17 WHEREAS, The Resolution of Intention for the Civic Center Community Benefit District
18 (the "Civic Center CBD" or "District"), among other things, approved the Civic Center
19 Community Benefit District Management District Plan (the "District Management Plan") as
20 amended October 27, 2010, the District Assessment Engineer's Report as amended
21 October 27, 2010, and the form of the Assessment Ballots and the Notice of Public Hearing,
22 that are all on file with Clerk of the Board of Supervisors in File No. 101318; and,

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

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

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

7 WHEREAS, The City and County of San Francisco owns additional real property within
8 the proposed assessment district that is subject to the exclusive jurisdiction and control of
9 certain City departments, such as the San Francisco Public Utilities Commission, the War
10 Memorial Board of Trustees, and the Asian Art Museum Commission (the "Other Property");
11 and,

12 WHEREAS, The City-owned parcels over which the Board of Supervisors has
13 jurisdiction (not including the Other Property) are listed in the following chart, showing the
14 street address for each, Assessor's lot and block number, name/description of building,
15 proposed assessment amount for each, and the percent of the total proposed assessments
16 for the District that each parcel would be assessed (which is the corresponding weight to be
17 afforded the City's signature on the ballot to establish the Civic Center CBD):

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ADDRESS	LOT / BLOCK	NAME / DESCRIPTION OF BUILDING	EST. ASSESSMENT AMOUNT FOR FIRST YEAR	% OF TOTAL CBD BUDGET
101 Grove Street	0811 001	Dept. of Public Health	\$11,055.65	1.52%
155 Grove Street	0811 016	Art Commission Gallery	\$991.98	0.14%
240 Van Ness Ave.	0811 019	Vacant Building	\$929.88	0.13%
165 Grove Street	0811 021	Art Commission - Vacant Lot	\$991.98	0.14%
150 Grove Street	0812 001	Bill Graham Auditorium	\$25,217.34	3.46%
30 Van Ness Ave.	0835 004	City Office Building	\$12,082.3	1.66%
100 Larkin Street	0354 001	SF Main Public Library	\$21,397.01	2.93%
1 So Van Ness Ave.	3506 001	City Office Building	\$24,586.01	3.37%
1 Dr. Carlton B Goodlett Place	0787 001	City Hall	\$37,220.62	5.10%
Civic Center Plaza, Civic Center Garage	0788 001	Recreation & Park Dept.	\$32,154.22	4.41%
25 Van Ness Ave.	0834 004	City Office Building	\$10,272.83	1.41%
Subtotal for City-Owned Parcels under Board of Supervisors Jurisdiction, for Year One (Fiscal Year 2011-2012) of Civic Center CBD, to be Established for a Ten Year Term			\$176,899.82	24.27%

WHEREAS, The Board of Supervisors will hold a public hearing on January 4, 2011 to consider public testimony on the proposed formation of the Civic Center Community Benefit District, the levy of multi-year assessments on real property located in the proposed district, and assessment ballot proceedings for affected property owners to approve or disapprove the assessments; and,

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

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

1 authorize a representative to submit the assessment ballots for parcels over which the Board
2 has jurisdiction; and,

3 WHEREAS, At the January 4, 2011 public hearing the Board is likely to receive public
4 testimony both in favor of and against the levying of assessments, and the Department of
5 Elections will tabulate the assessment ballots submitted by the owners of affected properties
6 to determine if there is a majority protest; and,

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

13 RESOLVED, That the Mayor is hereby authorized to submit any and all assessment
14 ballots in the affirmative for the above-listed parcels of real property owned by the City and
15 County of San Francisco over which the Board has jurisdiction (which list does not include the
16 Other Property) that would be subject to assessment in the proposed property and business
17 improvement district to be named the Civic Center Community Benefit District; and, be it

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

21 FURTHER RESOLVED, That the Clerk of the Board of Supervisors shall cause copies
22 of this Resolution to be delivered to the Office of Economic and Workforce Development, the
23 Director of Elections, the City departments with jurisdiction over the Other Property, the Civic
24 Center Community Benefit District Steering Committee, and placed in the Board of
25 Supervisors file for the Resolution to establish the proposed district.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails
Resolution

File Number: 101488

Date Passed: December 14, 2010

Resolution authorizing the Mayor to cast ballots in the affirmative on behalf of the City and County of San Francisco as owner of 11 parcels of real property over which the Board of Supervisors has jurisdiction, where those parcels would be subject to assessment in the proposed property and business improvement district to be named the Civic Center Community Benefit District.

December 08, 2010 Budget and Finance Committee - MEETING RECESSED

December 13, 2010 Budget and Finance Committee - REFERRED WITHOUT RECOMMENDATION AS COMMITTEE REPORT

December 14, 2010 Board of Supervisors - ADOPTED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi
Noes: 1 - Daly

File No. 101488

I hereby certify that the foregoing Resolution was ADOPTED on 12/14/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor Gavin Newsom

December 16, 2010
Date Approved