

File No. 130628

Committee Item No. 4

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight

Date: June 27, 2013

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

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Completed by: Andrea Ausberry Date June 21, 2013

Completed by: _____ Date _____

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

1 [Assessment Ballots for City Parcels - Renew and Expand the Central Market Community
2 Benefit 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 five parcels of real property over which the**
5 **Board of Supervisors has jurisdiction, where those parcels would be subject to**
6 **assessment in the proposed renewed and expanded property and business**
7 **improvement district known as the Central Market Community Benefit District.**

8
9 WHEREAS, Pursuant to the Property and Business Improvement Law of 1994,
10 California Streets and Highways Code Sections 36600 *et seq.* (the "Act"), as augmented by
11 Article 15 of the San Francisco Business and Tax Regulations Code ("Article 15"), the Board
12 of Supervisors adopted Resolution No. 167-13 on June 4, 2013, entitled "Resolution declaring
13 the intention of the Board of Supervisors to renew and expand a property-based business
14 improvement district known as the Central Market Community Benefit District (CBD), to order
15 the levy and collection of a multi-year assessment, and setting a time and place for a public
16 hearing thereon" ("Resolution of Intention," BOS File No. 130470); and,

17 WHEREAS, The Resolution of Intention for the Central Market Community Benefit
18 District ("Central Market CBD" or "District"), among other things, approved the Central Market
19 Community Benefit District Management District Plan (the "Management District Plan"), the
20 District Assessment Engineer's Report, and the form of the Assessment Ballots and the
21 Notice of Public Hearing, that are all on file with Clerk of the Board of Supervisors in File No.
22 130470; 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 five (5) 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; and,

6 WHEREAS, The City-owned parcels over which the Board of Supervisors has
 7 jurisdiction are listed in the following chart, showing the street address, Assessor's lot and
 8 block number, name/description of building/use, and proposed first year assessment amount
 9 for each, and the percent of the total proposed assessments for the District that each parcel
 10 would be assessed (which is the corresponding weight to be afforded the City's signature on
 11 the ballot to renew and expand the Central Market CBD):

City and County of San Francisco (CCSF)-Owned Parcels					
APN	Ownership - Jurisdiction	Situs	Use	First Year (\$) Assessment	% of Total Assessments
3508 -053	CCSF - Mayor's Office of Housing	1390 Mission St.	Affordable Housing	\$ 9,417.67	0.80%
3704 -011	CCSF - Office of Real Estate	88 5th St.	Old Mint, leased to San Francisco Museum and Historical Society	\$ 14,694.35	1.24%
3731 -010	CCSF - Recreation and Park Department	270 Sixth Street	Gene Friend Rec Center	\$ 1,261.89	0.11%
3731 -011	CCSF - Recreation and Park Department	286V - 298 Sixth St.	Gene Friend Rec Center	\$ 1,240.08	0.11%
3731 -111	CCSF - Recreation and Park Department	248 - 270 Sixth St.	Gene Friend Rec Center	\$ 3,112.44	0.26%
Total Annual Assessments of CCSF-Owned Parcels				\$29,726.43	

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 23
 24 WHEREAS, The Board of Supervisors will hold a public hearing on July 23, 2013, to
 25 consider public testimony on the proposed renewal and expansion of the Central Market

1 Community Benefit District, the levy of multi-year assessments on real property located in the
2 proposed district, and assessment ballot proceedings for affected property owners to approve
3 or disapprove the assessments; and,

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

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

12 WHEREAS, At the July 23, 2013 public hearing the Board is likely to receive public
13 testimony both in favor of and against the levying of assessments, and the Department of
14 Elections will tabulate the assessment ballots submitted by the owners of affected properties
15 to determine if there is a majority protest; and,

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

22 RESOLVED, That the Mayor is hereby authorized to submit any and all assessment
23 ballots in the affirmative for the above-listed parcels of real property owned by the City and
24 County of San Francisco over which the Board has jurisdiction that would be subject to
25

1 assessment in the renewed and expanded property and business improvement district known
2 as the Central Market Community Benefit District; and, be it
3 FURTHER RESOLVED, That the Clerk of the Board of Supervisors shall cause copies
4 of this Resolution to be delivered to the Office of Economic and Workforce Development, the
5 Director of Elections, and the Central Market Community Benefit District owners association,
6 and placed in the Board of Supervisors file for the Resolution of formation to establish the
7 proposed renewed and expanded district.

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Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. **GAD**
An ordinance, resolution, motion, or charter amendment.
- 2. Request for next printed agenda without reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [] inquires"
- 5. City Attorney request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. []
- 9. Request for Closed Session (attach written motion).
- 10. Board to Sit as A Committee of the Whole.
- 11. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative

Sponsor(s):

Supervisor Jane Kim

Subject:

Resolution - Assessment Ballots for City-owned parcels - to renew and expand the Central Market Community Benefit District

The text is listed below or attached:

Resolution authorizing the Mayor to cast ballots in the affirmative on behalf of the City and County of San Francisco as owner of five (5) parcels of real property over which the Board of Supervisors has jurisdiction, where those parcels would be subject to assessment in the proposed renewed and expanded property and business improvement district known as the Central Market Community Benefit District.

Signature of Sponsoring Supervisor: 

For Clerk's Use Only:

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