

1 [Assessment Ballots for City Parcels - North of Market/Tenderloin Community Benefit District]

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

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9 WHEREAS, Pursuant to the Property and Business Improvement Law of 1994,
10 California Streets and Highways Code, Sections 36600 et seq. (the "Act"), as augmented by
11 Article 15 of the San Francisco Business and Tax Regulations Code ("Article 15"), the Board
12 of Supervisors adopted Resolution No. 195-19 on April 23, 2019, entitled "Resolution
13 declaring the intention of the Board of Supervisors to renew and expand a property-based
14 business improvement district known as the "North of Market/Tenderloin Community Benefit
15 District" and levy a multi-year assessment on all parcels in the district; approving the
16 management district plan and engineer's report and proposed boundaries map for the district;
17 ordering and setting a time and place for a public hearing of the Board of Supervisors, sitting
18 as a Committee of the Whole, on June 25, 2019, at 3:00 p.m.; approving the form of the
19 Notice of Public Hearing and Assessment Ballot Proceeding, and Assessment Ballot; directing
20 environmental findings; and directing the Clerk of the Board of Supervisors to give
21 notice of the public hearing and balloting, as required by law." (the "Resolution of Intention,"
22 BOS File No. 190363); and

23 WHEREAS, The Resolution of Intention for the North of Market/Tenderloin Community
24 Benefit District (the "North of Market/Tenderloin CBD" or "District"), among other things,
25 approved the North of Market/Tenderloin Community Benefit District Management District

1 Plan (the "District Management Plan"), dated January 2019, the North of Market/Tenderloin
 2 Community Benefit District Engineer's Report, dated January 2019, and the Notice of Public
 3 Hearing, that are all on file with Clerk of the Board of Supervisors in File No. 190363; and

4 WHEREAS, If the proposed District is renewed and expanded, assessments would be
 5 levied and collected against all parcels of real property in the proposed District for a period of
 6 15 years, commencing with FY2019-2020 through FY2033-2034; and

7 WHEREAS, Article XIID, Section 4 of the California Constitution provides that parcels
 8 within an assessment district that are owned or used by any government agency, the State of
 9 California or the United States shall not be exempt from assessment unless the agency can
 10 demonstrate by clear and convincing evidence that those publicly owned parcels in fact
 11 receive no special benefit; and

12 WHEREAS, The Board of Supervisors has jurisdiction over 17 parcels of real property
 13 within the proposed assessment district that are owned by the City and County of San
 14 Francisco, the details of which are set forth in the following chart, which shows for each parcel
 15 the street address, Assessor's lot and block number, name/description, proposed assessment
 16 amount, and the percent of the total proposed assessments for the District that parcel would
 17 be assessed for the first year of the District (which is the corresponding weight to be afforded
 18 the City's signature on the ballot to renew and expand the North of Market/Tenderloin CBD):

ADDRESS	LOT / BLOCK	NAME / DESCRIPTION OF BUILDING	EST. ASSESSMENT AMOUNT	% OF TOTAL CBD BUDGET
440 Turk Street	0336 032	City & County of San Francisco	\$3,451.64	0.18%

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0 Unknown	0347 008	SF Public Works	\$4,848.08	0.25%
511 Ellis Street	0334 044	SF Public Works	\$1,291.91	0.07%
260 Golden Gate Avenue	0345 007	SF Fire Department	\$5,670.10	0.29%
301 Eddy Street	0338 023	SF Police Department	\$8,638.64	0.44%
331 Turk Street	0345 015	SF Department of Public Health	\$2,306.14	0.12%
101 Hyde Street	0346 003A	Real Estate Division	\$6,565.30	0.33%
246 Eddy Street	0332 018	SF Recreation & Parks	\$1,425.81	0.07%
246 Eddy Street	0332 019	SF Recreation & Parks	\$1,425.81	0.07%
246 Eddy Street	0332 006	SF Recreation & Parks	\$1,390.22	0.07%
256 Eddy Street	0332 007	SF Recreation & Parks	\$1,288.33	0.07%
260 Eddy Street	0332 008	SF Recreation & Parks	\$1,940.47	0.10%
288 Eddy Street	0332 009	SF Recreation & Parks	\$11,045.83	0.56%
351 Ellis Street	0332 017	SF Recreation & Parks	\$1,447.20	0.07%
201 Hyde Street	0336 003	SF Recreation & Parks	\$3,474.64	0.18%
560 Ellis Street	0322 005	SF Recreation & Parks	\$7,095.84	0.36%

570 Ellis Street	0322 006	SF Recreation & Parks	\$3,788.47	0.19%
TOTAL			\$67,094.43	3.42%

WHEREAS, The Board of Supervisors will hold a public hearing on June 25, 2019, to consider public testimony on the proposed renewal and expansion of the North of Market/Tenderloin Community Benefit District, the levy of multi-year assessments on real property located in the proposed district, and assessment ballot proceedings for affected property owners to approve or disapprove the assessments; and

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

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

WHEREAS, At the June 25, 2019, public hearing the Board is likely to receive public testimony both in favor of and against the levying of assessments, and the Department of Elections will tabulate the assessment ballots submitted by the owners of affected properties to determine if there is a majority protest; and

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

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

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

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

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