

1 [Assessment Ballots for City Parcels - Downtown Community Benefit District]

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

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

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

1 WHEREAS, If the proposed District is established, assessments would be levied and
 2 collected against all parcels of real property in the proposed District for a period of 15 years,
 3 commencing with FY2019-2020 through FY2033-2034; and

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

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

ADDRESS	LOT / BLOCK	NAME / DESCRIPTION OF BUILDING	EST. ASSESSMENT AMOUNT	% OF TOTAL CBD BUDGET
532 SANSOME ST	0206 017	CITY & COUNTY OF SAN FRANCISCO	\$1,500.00	0.04%
STEVENSON	3708 031	CITY & COUNTY OF SAN FRANCISCO	\$4,644.00	0.12%
TOTAL			\$6,144.00	0.16%

1 WHEREAS, The Board of Supervisors will hold a public hearing on July 16, 2019, to
2 consider public testimony on the proposed formation of the Downtown Community Benefit
3 District, the levy of multi-year assessments on real property located in the proposed district,
4 and assessment ballot proceedings for affected property owners to approve or disapprove the
5 assessments; and

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

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

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

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

24 RESOLVED, That the Mayor or their designee(s) is hereby authorized to submit an
25 assessment ballot in the affirmative for the above-listed parcels of real property owned by the

1 City and County of San Francisco over which the Board has jurisdiction that would be subject
2 to assessment in the proposed property and business improvement district to be named the
3 Downtown Community Benefit District; and, be it

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

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