

File No. 200522

Committee Item No. 5

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight

Date: June 18, 2020

Board of Supervisors Meeting:

Date: _____

Cmte Board

- Motion
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- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
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- Form 126 – Ethics Commission
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OTHER

- Referral FYI – May 27, 2020
- OEWD Memo – May 13, 2020
- _____
- _____
- _____

Prepared by: John Carroll

Date: June 12, 2020

Prepared by: John Carroll

Date: _____

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

2

3 **Resolution authorizing the Mayor or her designee to cast an assessment ballot in the**
4 **affirmative for the proposed renewal and expansion of a property and business**
5 **improvement district to be named the Castro Community Benefit District, with respect**
6 **to certain parcels of real property owned by the City that would be subject to**
7 **assessment in said 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. 215-20 on May 19, 2020, 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 "Castro Community Benefit District" and levy a
15 multi-year assessment on all parcels in the district; approving the management district plan
16 and engineer's report and proposed boundaries map for the district; ordering and setting a
17 time and place for a public hearing of the Board of Supervisors, sitting as a Committee of the
18 Whole, on July 14, 2020, at 3:00 p.m.; approving the form of the Notice of Public Hearing and
19 Assessment Ballot Proceeding, and Assessment Ballot; directing environmental findings; and
20 directing the Clerk of the Board of Supervisors to give notice of the public hearing and
21 balloting, as required by law." (the "Resolution of Intention," BOS File No. 200379); and

22 WHEREAS, The Resolution of Intention for the Castro Community Benefit District (the
23 "Castro CBD" or "District"), among other things, approved the Castro Community Benefit
24 District Management District Plan (the "District Management Plan"), dated February 2020, the
25 Castro Community Benefit District Engineer's Report, dated February 2020, and the Notice of

1 Public Hearing, that are all on file with Clerk of the Board of Supervisors in File No. 200379;
2 and

3 WHEREAS, If the proposed District is renewed and expanded, assessments would be
4 levied and collected against all parcels of real property in the proposed District for a period
5 of 15 years, commencing with FYs 2020-2021 through 2034-2035; and

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

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

15 WHEREAS, The City and County of San Francisco owns additional real property within
16 the proposed assessment district that is subject to the exclusive jurisdiction and control of
17 certain City departments, such as the San Francisco Municipal Transportation Agency (the
18 "Other Property"); and

19 WHEREAS, The City-owned parcels over which the Board of Supervisors has
20 jurisdiction (not including the Other Property) are listed in the following chart, showing the
21 street address for each, Assessor's lot and block number, name/description of building,
22 proposed assessment amount for each, and the percent of the total proposed assessments
23 for the District that each parcel would be assessed (which is the corresponding weight to be
24 afforded the City's signature on the ballot to renew and expand the Castro CBD):
25

ADDRESS	LOT / BLOCK	NAME / DESCRIPTION OF BUILDING	EST. ASSESSMENT AMOUNT	% OF TOTAL CBD BUDGET
4244-4246 19th Street	2694 - 002	Eureka Valley Recreation Center (REC)	\$42,164.21	5.146%
1 Jose Sarria Court	3564 - 095	Eureka Valley/Harvey Milk Memorial Branch Library (LIB)	\$10,723.51	1.309%
3850 17th Street	3564 - 049	Castro-Mission Health Center (DPH)	\$10,189.29	1.244%
135 Sanchez Street	3542 - 025	San Francisco Fire Department Station 6 (FIRE)	\$4,017.15	0.490%
2401-2499 Market Street	2647 - 048	Real Estate Division	\$2,564.82	0.313%
1-99 Beaver Street	3561 - 008	Noe & Beaver Mini Park (REC)	\$2,505.39	0.306%
Subtotal for City-Owned Parcels under Board of Supervisors Jurisdiction, for Year One (Fiscal Year 2020-2021) of Castro CBD, to be Renewed for a 15- Year Term			\$72,164.36	8.808%

WHEREAS, The Board of Supervisors will hold a public hearing on July 14, 2020, to consider public testimony on the proposed renewal and expansion of the Castro 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

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

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

9 WHEREAS, At the July 14, 2020, public hearing the Board is likely to receive public
10 testimony both in favor of and against the levying of assessments, and the Department of
11 Elections will tabulate the assessment ballots submitted by the owners of affected properties
12 to determine if there is a majority protest; and

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

19 RESOLVED, That the Mayor or her designee is hereby authorized to submit an
20 assessment ballot in the affirmative for the above-listed parcels of real property owned by the
21 City and County of San Francisco over which the Board has jurisdiction that would be subject
22 to assessment in the proposed property and business improvement district to be named the
23 Castro Community Benefit District; and, be it

1 FURTHER RESOLVED, That the Board encourages any City department that has
2 exclusive jurisdiction over the Other Property to submit any and all assessment ballots in the
3 affirmative; 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 renew and expand the proposed district.

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BOARD of SUPERVISORS



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MEMORANDUM

TO: Joaquin Torres, Director, Office of Economic and Workforce Development
John Arntz, Director, Department of Elections

FROM: John Carroll, Assistant Clerk, Government Audit and Oversight
Committee, Board of Supervisors

DATE: May 27, 2020

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Government Audit and Oversight Committee has received the following proposed legislation, introduced by Supervisor Mandelman on May 19, 2020:

File No. 200522

Resolution authorizing the Mayor or her designee to cast an assessment ballot in the affirmative for the proposed renewal and expansion of a property and business improvement district to be named the Castro Community Benefit District, with respect to certain parcels of real property owned by the City that would be subject to assessment in said district.

If you have any comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: J'Wel Vaughan, Office of Economic and Workforce Development
Lisa Pagan, Office of Economic and Workforce Development
Chris Corgas, Office of Economic and Workforce Development
Cuong Quach, Department of Elections

MEMORANDUM

TO: Rafael Mandelman, District 8 Supervisor
FROM: Chris Corgas, Senior Program Manager
DATE: May 13, 2020
RE: Castro Community Benefit District - Authorization of Mayor to Cast Assessment Ballots

Dear Supervisor Mandelman,

Enclosed for your review and legislative submittal are the materials related to the proposed authorization for the Mayor or her designee to cast assessment ballots in the affirmative on behalf of the City and County of San Francisco as the owner of six parcels of real property over which the Board of Supervisors has jurisdiction that would be subject to assessment in the Castro Community Benefit District, those materials include:

- Resolution of Authorization for the Mayor or her designees to cast assessment ballots in the affirmative (2 originals)

If you should have any questions regarding the materials enclosed or the formation process please do not hesitate to contact me. I look forward to the introduction of the Resolution on Tuesday May 19, 2020.

