

1 [Assessment Ballots for City-Owned Parcels - Central Market Community Benefit District -  
2 Modify the Management Plan and Engineer's Report]

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 the**  
6 **proposed modifications to the Management District Plan and Engineer's Report for the**  
7 **business improvement district known as the Central Market Community Benefit**  
8 **District.**

9  
10 WHEREAS, Pursuant to the Property and Business Improvement Law of 1994,  
11 California Streets and Highways Code, Sections 36600 *et seq.* (the "Act"), as augmented by  
12 Article 15 of the San Francisco Business and Tax Regulations Code ("Article 15"), the Board  
13 of Supervisors adopted Resolution No. 288-16 on July 26, 2016, entitled "Resolution declaring  
14 the intention of the Board of Supervisors to modify the management district plan and  
15 engineer's report for the property-based business improvement district (community benefit  
16 district) known as the "Central Market Community Benefit District"; ordering and setting a time  
17 and place for a public hearing thereon; approving the form of the Notice of Public Hearing and  
18 Assessment Ballot Proceeding and Assessment Ballot; and directing the Clerk of the Board of  
19 Supervisors to give notice of the public hearing and balloting as required by law" ("Resolution  
20 of Intention," File No. 160793); and

21 WHEREAS, The proposed modifications to the Management District Plan and  
22 Engineer's Report for the Central Market Community Benefit District Management District (the  
23 "District"), and the Assessment Ballots and the Notice of Public Hearing for those proposed  
24 modifications, which were approved as to form, are all on file with Clerk of the Board of  
25 Supervisors in File No. 160793; and

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

6 WHEREAS, The Board of Supervisors has jurisdiction over five (5) parcels of real  
 7 property within the District that are owned by the City and County of San Francisco; and

8 WHEREAS, The City-owned parcels over which the Board of Supervisors has  
 9 jurisdiction are listed in the following chart, which shows the street address, Assessor's lot and  
 10 block number, name/description of building/use, and proposed assessment amount in  
 11 FY2016-2017 for each parcel, and the percent of the total proposed assessments for the  
 12 District that each parcel would be assessed in FY2016-2017 (which is the corresponding  
 13 weight to be afforded the City's signature on the ballot to renew and expand the Central  
 14 Market CBD):

<b>City and County of San Francisco (CCSF)-Owned Parcels</b>					
<b>APN</b>	<b>Ownership - Jurisdiction</b>	<b>Situs</b>	<b>Use</b>	<b>First Year (\$) Assessment</b>	<b>% of Total Assessments</b>
3508 -053	CCSF - Mayor's Office of Housing	1390 Mission St.	Affordable Housing	\$ 9,662.62	0.6871%
3704 -011	CCSF - Office of Real Estate	88 5th St.	Old Mint, leased to San Francisco Museum and Historical Society	\$ 15,076.56	1.072%
3731 -010	CCSF - Recreation and Park Department	270 Sixth Street	Gene Friend Rec Center	\$ 1,294.72	0.0921%
3731 -011	CCSF - Recreation and Park Department	286V - 298 Sixth St.	Gene Friend Rec Center	\$ 1,272.34	0.0905%
3731 -111	CCSF - Recreation and Park Department	248 - 270 Sixth St.	Gene Friend Rec Center	\$ 3,193.40	0.2271%
<b>Total Annual Assessments of CCSF-Owned Parcels</b>				\$30,499.64	

1           WHEREAS, The Board of Supervisors will hold a public hearing on September 20,  
2 2016, to consider public testimony on the proposed modifications to the Management District  
3 Plan and Engineer's Report, which would clarify that the limit on Consumer Price Index  
4 increases does not prohibit the City from updating the assessments under the previously-  
5 approved assessment formula to reflect changes to parcels after they were first assessed in  
6 2013, and to conduct assessment ballot proceedings for affected property owners to approve  
7 or disapprove the modifications; and

8           WHEREAS, At the September 20, 2016, public hearing the Board may receive public  
9 testimony both in favor of and against the proposed modifications, and the Department of  
10 Elections will tabulate the assessment ballots submitted by the owners of affected properties  
11 to determine if there is a majority protest; and

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

15           WHEREAS, The Board of Supervisors is authorized to cast assessment ballots for  
16 those parcels owned by the City, to either approve or disapprove the proposed modifications,  
17 and may authorize a representative to submit the assessment ballots for those parcels on the  
18 City's behalf; and

19           WHEREAS, It is appropriate for the Board of Supervisors to authorize a representative  
20 to submit assessment ballots for the City-owned parcels within the District on the City's behalf,  
21 to avoid confusion on the Board's dual role as both the legislative body that may approve the  
22 proposed modifications, and as the decision-making body for the City as the owner of property  
23 subject to assessments; now, therefore, be it

24           RESOLVED, That the Mayor is hereby authorized to submit any and all assessment  
25 ballots in the affirmative for the above-listed parcels of real property in the District, which are

1 all owned by the City and County of San Francisco and which are subject to assessment; and,  
2 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 to modify the Management  
7 District Plan and Engineer's Report for the District.

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City and County of San Francisco

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

Tails  
Resolution

File Number: 160900

Date Passed: September 06, 2016

Resolution authorizing the Mayor to cast ballots in the affirmative on behalf of the City and County of San Francisco as owner of five parcels of real property over which the Board of Supervisors has jurisdiction, where those parcels would be subject to the proposed modifications to the Management District Plan and Engineer's Report for the business improvement district known as the Central Market Community Benefit District.


September 01, 2016 Government Audit and Oversight Committee - RECOMMENDED AS COMMITTEE REPORT

September 06, 2016 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

File No. 160900

I hereby certify that the foregoing Resolution was ADOPTED on 9/6/2016 by the Board of Supervisors of the City and County of San Francisco.

  
Angela Calvillo  
Clerk of the Board

  
Mayor

9/12/16  
Date Approved