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

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.

WHEREAS, Pursuant to the Property and Business Improvement Law of 1994, California Streets and Highways Code Sections 36600 et seq. (the "Act"), as augmented by Article 15 of the San Francisco Business and Tax Regulations Code ("Article 15"), the Board of Supervisors adopted Resolution No. 215-20 on May 19, 2020, entitled "Resolution declaring the intention of the Board of Supervisors to renew and expand a property-based business improvement district known as the “Castro Community Benefit District” and levy a multi-year assessment on all parcels in the district; approving the management district plan and engineer’s report and proposed boundaries map for the district; ordering and setting a time and place for a public hearing of the Board of Supervisors, sitting as a Committee of the Whole, on July 14, 2020, at 3:00 p.m.; approving the form of the Notice of Public Hearing and Assessment Ballot Proceeding, and Assessment Ballot; directing environmental findings; and directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting, as required by law." (the "Resolution of Intention," BOS File No. 200379); and

WHEREAS, The Resolution of Intention for the Castro Community Benefit District (the "Castro CBD" or "District"), among other things, approved the Castro Community Benefit District Management District Plan (the "District Management Plan"), dated February 2020, the
Castro Community Benefit District Engineer's Report, dated February 2020, and the Notice of Public Hearing, that are all on file with Clerk of the Board of Supervisors in File No. 200379; and

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

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

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

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

WHEREAS, The City-owned parcels over which the Board of Supervisors has jurisdiction (not including the Other Property) are listed in the following chart, showing the street address for each, Assessor's lot and block number, name/description of building, proposed assessment amount for each, and the percent of the total proposed assessments for the District that each parcel would be assessed (which is the corresponding weight to be afforded the City's signature on the ballot to renew and expand the Castro CBD):
<table>
<thead>
<tr>
<th>ADDRESS</th>
<th>LOT / BLOCK</th>
<th>NAME / DESCRIPTION OF BUILDING</th>
<th>EST. ASSESSMENT AMOUNT</th>
<th>% OF TOTAL CBD BUDGET</th>
</tr>
</thead>
<tbody>
<tr>
<td>4244-4246 19th Street</td>
<td>2694 - 002</td>
<td>Eureka Valley Recreation Center (REC)</td>
<td>$42,164.21</td>
<td>5.146%</td>
</tr>
<tr>
<td>1 Jose Sarria Court</td>
<td>3564 - 095</td>
<td>Eureka Valley/Harvey Milk Memorial Branch Library (LIB)</td>
<td>$10,723.51</td>
<td>1.309%</td>
</tr>
<tr>
<td>3850 17th Street</td>
<td>3564 - 049</td>
<td>Castro-Mission Health Center (DPH)</td>
<td>$10,189.29</td>
<td>1.244%</td>
</tr>
<tr>
<td>135 Sanchez Street</td>
<td>3542 - 026</td>
<td>San Francisco Fire Department Station 6 (FIRE)</td>
<td>$4,017.15</td>
<td>0.490%</td>
</tr>
<tr>
<td>2401-2499 Market Street</td>
<td>2647 - 048</td>
<td>Real Estate Division</td>
<td>$2,564.82</td>
<td>0.313%</td>
</tr>
<tr>
<td>1-99 Beaver Street</td>
<td>3561 - 008</td>
<td>Noe &amp; Beaver Mini Park (REC)</td>
<td>$2,505.39</td>
<td>0.306%</td>
</tr>
<tr>
<td>1939 Market Street</td>
<td>3501 - 006</td>
<td>Union Hall/Future Affordable Housing</td>
<td>$1,008.08</td>
<td>0.116%</td>
</tr>
<tr>
<td>200-298 Duboce Avenue</td>
<td>3501 - 007</td>
<td>Union Hall/Future Affordable Housing</td>
<td>$1,039.55</td>
<td>0.127%</td>
</tr>
<tr>
<td>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</td>
<td></td>
<td></td>
<td>$74,211.99</td>
<td>9.051%</td>
</tr>
</tbody>
</table>
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

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 July 14, 2020, 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 by the affected property owners, and as the decision-making body for the City as the owner of property subject to assessments; now, therefore, be it

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

FURTHER RESOLVED, That the Board encourages any City department that has exclusive jurisdiction over the Other Property to submit any and all assessment ballots in the affirmative; and, be it

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

File Number: 200522  Date Passed: June 23, 2020

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.

June 18, 2020 Government Audit and Oversight Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

June 18, 2020 Government Audit and Oversight Committee - RECOMMENDED AS AMENDED AS A COMMITTEE REPORT

June 23, 2020 Board of Supervisors - ADOPTED

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton and Yee

File No. 200522  I hereby certify that the foregoing Resolution was ADOPTED on 6/23/2020 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

London N. Breed 6/26/20
Mayor  Date Approved