Resolution declaring the intention of the Board of Supervisors to modify the management district plan and engineer's report for the property-based business improvement district (community benefit district) known as the "Central Market Community Benefit District"; ordering and setting a time and place for a public hearing on September 20, 2016, at 3:00 p.m.; approving the form of the Notice of Public Hearing and Assessment Ballot Proceeding and Assessment Ballot; and directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law.

WHEREAS, The Property and Business Improvement District Law of 1994, California Streets and Highways Code Sections 36600 et seq. (the "1994 Act"), authorizes cities to establish property and business improvement districts ("community benefit districts") within business districts to promote the economic revitalization and physical maintenance of such business districts; and

WHEREAS, Section 36603 of the 1994 Act recognizes the authority of Charter cities to adopt ordinances providing for different methods of levying assessments for similar or additional purposes from those set forth in the 1994 Act; and

WHEREAS, Article 15 of the San Francisco Business and Tax Regulations Code ("Article 15") augments certain procedural and substantive requirements relating to the formation of community benefit districts and the assessments on real property or businesses within such districts; and

WHEREAS, The 1994 Act and Article 15 authorize the City to levy and collect assessments on real property within such districts for the purpose of providing improvements
property located within such districts; and

WHEREAS, Article XIIID of the California Constitution and Section 53753 of the
California Government Code impose certain procedural and substantive requirements relating

to assessments on real property; and

WHEREAS, Section 36622 of the 1994 Act and Article 15 require the preparation of a
management district plan that includes, without limitation, (1) a map showing all parcels
located in the district, (2) a description of the boundaries of the district, (3) the name of the
district, (4) the amount of the proposed assessment for each parcel, (5) the total annual
amount chargeable to the entire district, (6) the duration of the payments, (7) the property-
related services, (8) activities and improvements to be funded by the assessments for each
year and the maximum cost thereof, (9) the method and basis upon which the assessments
are calculated in sufficient detail to allow each property owner to calculate the amount of the
assessment to be levied against his or her property, (10) the time and manner of collecting the
assessments, (11) and a list of the properties to be assessed (including assessor parcel
numbers); and

WHEREAS, on September 12, 2006, the Board of Supervisors adopted Resolution No.
519-06, declaring its intention to form a community benefit district to be known as the Central
Market Community Benefit District (the "District") and to levy multi-year assessments on
parcels to be included within the proposed District, and approving the Central Market
Community Benefit District Management District Plan (the "2006 Management Plan") as
required by Section 36622 of the 1994 Act and a detailed engineer's report supporting the
assessments within the proposed District (the "2006 Engineer's Report"), both of which are on
file with the Clerk of the Board of Supervisors in File No. 060860; and

WHEREAS, on October 31, 2006, after conducting a protest vote and finding that a
weighted majority of ballots from the affected property owners in the proposed District did not
oppose establishing the proposed District, and after making additional findings and taking
other legislative actions, the Board of Supervisors adopted Resolution No. 631-06,
establishing the District and levying multi-year special assessments on identified parcels
included within the District pursuant to the 2006 Management Plan and 2006 Engineer’s
Report;

WHEREAS, on June 4, 2013, the Board of Supervisors adopted Resolution No. 167-
13, declaring its intention to renew and expand the District and levy multi-year assessments
on parcels included within the proposed District for 15 years commencing with fiscal year
2013-2014, and approving an updated management district plan as required by Section
36622 of the 1994 Act (the “2013 Management Plan”) and an updated detailed engineer’s
report supporting the assessments within the proposed District (“2013 Engineer’s Report”),
both of which are on file with the Clerk of the Board of Supervisors in File No. 130470; and

WHEREAS, on July 23, 2013, after conducting a protest vote and after finding that a
weighted majority of ballots from the affected property owners in proposed renewed and
expanded District did not oppose establishing the proposed renewal and expansion, and after
making additional findings and taking other legislative actions, the Board of Supervisors
adopted Resolution No. 631-06, establishing the renewed and expanded District, and levying
multi-year special assessments on identified parcels included within the renewed and
expanded District pursuant to the 2013 Management District Plan and 2013 Engineer’s
Report; and

WHEREAS, The 2013 Management District Plan, along with the 2013 Engineer’s
Report, in order to ensure that parcels are assessed in proportion to the special benefits
derived from the various services and improvements in the District, provide that the City shall
quantify the special benefits derived by each parcel and calculate the annual assessment to

Mayor Lee
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be levied on each parcel by taking into account objective parcel characteristics such as lot size, building square footage, linear frontage, and land use; and

WHEREAS, The 2013 Management Plan and 2013 Engineer's Report establish a limit on the total assessment revenues to be collected from all parcels across the entire District in fiscal year 2013, and state that the total assessments in future fiscal years may only be increased by the amount of the change to the local Consumer Price Index ("CPI), up to a maximum of 3% per year; and

WHEREAS, the limit established for fiscal year 2013 was based on the projected needs of the District at the time the District was renewed and expanded in 2013, and did not take into account future development in the District; and

WHEREAS, the District is experiencing significant development and is expected to experience significant further development during the fifteen year assessment term, which will create increased demand for services and improvements in the District; and

WHEREAS, the 1994 Act and Article 15 allow the City to propose modifications to the 2013 Management Plan and 2013 Engineer's Report, and allow the property owners in the District to vote on the proposed modifications; and

WHEREAS, the non-profit owners' association that administers the services and improvements in the District has submitted a written request that the City modify the 2013 Management Plan and 2013 Engineer's Report to clarify that the 3% limit on CPI increases does not prohibit the City from updating the assessments under the existing formula to reflect changes to parcels after they were first assessed in 2013, as reflected in the revised Management Plan and Engineer's Report, both of which are on file with the Clerk of the Board of Supervisors in File No. 160793 and are incorporated by reference as though set forth fully herein; and

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WHEREAS, approving the proposed modifications to the 2013 Management Plan and
2013 Engineer's Report will enable the District's budget to increase commensurate with the
District's growth; and

WHEREAS, allowing the District's budget to increase commensurate with the District's
growth would effectuate the purposes of the District; and

WHEREAS, in the event that the proposed modifications are not approved, the existing
2013 Management Plan and 2013 Engineer's Report will remain effective; now, therefore, be
it

RESOLVED, That the Board of Supervisors declares as follows:

Section 1. Pursuant to Section 36636 of the 1994 Act and Article 15, the Board of
Supervisors declares its intention to modify the 2013 Management Plan and 2013 Engineer's
Report for the Central Market Community Benefit District, as set forth in the revised
Management Plan and Engineer's Report for the District, both of which are hereby approved.
The Clerk of the Board shall make the revised Management Plan and Engineer's Report and
other documents related to the proposed modification and included in the record before the
Board of Supervisors available to the public for review during normal business hours, Monday
through Friday 8:00 a.m. through 5:00 p.m., excluding legal holidays.

Section 2. A public hearing on the proposed modifications shall be conducted before
the Board of Supervisors sitting as a Committee of the Whole on September 20, 2016 at 3:00
p.m., or as soon thereafter as the matter may be heard in the Board's Legislative Chambers,
Second Floor, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, California, 94102. At
this public hearing, the Board of Supervisors will hear public testimony regarding the proposed
modifications, including testimony from all interested persons for or against the proposed
modifications and any other related matters. The Board of Supervisors may waive any
irregularity in the form or content of any written protest, and at the public hearing may correct
minor defects in the proceedings. All protests submitted by affected property owners and received prior to the conclusion of the public testimony portion of the public hearing shall be tabulated to determine whether a majority protest exists.

Section 3. The Board of Supervisors hereby approves the form of the Notice of Public Hearing and Assessment Ballot Proceeding, and Assessment Ballot, both of which are on file with the Clerk of the Board of Supervisors in File No. 160793, and which are hereby declared to be a part of this Resolution as if set forth fully herein.

Section 4. It is the intent of the Board of Supervisors to continue to provide the area encompassed by the District with the same level of services provided to other similar areas of the City; the proposed modifications will not affect the City's policy to continue to provide the same level of service to the areas encompassed by the District as it provides to other similar areas of the City during the term of the District.

Section 5: Environmental Findings. Following the approval of this Resolution, the Planning Department shall determine whether the actions contemplated in this Resolution are in compliance with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.), and shall respond in writing to the Clerk of the Board of Supervisors prior to the Board's public hearing on the proposed actions on September 20, 2016 at 3:00 p.m.

Section 6. The Clerk of the Board is directed to give notice of the public hearing as provided in California Streets and Highways Code Section 36623, California Government Code Section 53753, California Constitution Article XIIID Section 4, San Francisco Charter Section 16.112, and San Francisco Administrative Code Section 67.7-1.

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BOARD OF SUPERVISORS
Resolution declaring the intention of the Board of Supervisors to modify the management district plan and engineer's report for the property-based business improvement district (community benefit district) known as the "Central Market Community Benefit District", ordering and setting a time and place for a public hearing on September 20, 2016, at 3:00 p.m.; approving the form of the Notice of Public Hearing and Assessment Ballot Proceeding and Assessment Ballot; and directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law.

July 21, 2016 Government Audit and Oversight Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

July 21, 2016 Government Audit and Oversight Committee - RECOMMENDED AS AMENDED AS A COMMITTEE REPORT

July 26, 2016 Board of Supervisors - ADOPTED

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener and Yee
Absent: 1 - Mar

I hereby certify that the foregoing Resolution was ADOPTED on 7/26/2016 by the Board of Supervisors of the City and County of San Francisco.

Peggy铁
Clerk of the Board

Mayor

Date Approved
Resoluion of Intention - Central Market Community Benefit District - Modify the Management Plan and Engineer's Report

Sponsor: Mayor

Resolution declaring the intention of the Board of Supervisors to modify the management district plan and engineer's report for the property-based business improvement district (community benefit district) known as the "Central Market Community Benefit District", ordering and setting a time and place for a public hearing on September 20, 2016, at 3:00 p.m.; approving the form of the Notice of Public Hearing and Assessment Ballot Proceeding and Assessment Ballot; and directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law.

7/26/2016 Board of Supervisors - ADOPTED
Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener and Yee
Absent: 1 - Mar

7/29/2016 Mayor - APPROVED

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE
I do hereby certify that the foregoing Resolution is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City and County of San Francisco.

Date

July 29, 2016

Angela Calvillo
Clerk of the Board
[Resolution of Intention - Central Market Community Benefit District - Modify the Management Plan and Engineer's Report]

Sponsor: Mayor

Resolution declaring the intention of the Board of Supervisors to modify the management district plan and engineer's report for the property-based business improvement district (community benefit district) known as the "Central Market Community Benefit District"; ordering and setting a time and place for a public hearing on September 20, 2016, at 3:00 p.m.; approving the form of the Notice of Public Hearing and Assessment Ballot Proceeding and Assessment Ballot; and directing the Clerk of the Board of Supervisors to give notice of the public hearing and balloting as required by law.

7/26/2016 Board of Supervisors - ADOPTED

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener and Yee
Absent: 1 - Mar

7/29/2016 Mayor - APPROVED

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Resolution is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City and County of San Francisco.

July 29, 2016

Date

[Signature]

Angela Calvillo

Clerk of the Board