

1 [Resolution of Intention - Renew and Expand - Dogpatch & Northwest Potrero Hill Green
2 Benefit District]

3 **Resolution declaring the intention of the Board of Supervisors to renew a property-**
4 **based business improvement district known as the "Dogpatch & Northwest Potrero Hill**
5 **Green Benefit District" and to levy a multi-year assessment on all parcels in the**
6 **district; approving the management district plan and engineer's report, and proposed**
7 **boundaries map for the district; ordering and setting a time and place for a public**
8 **hearing of the Board of Supervisors, sitting as a Committee of the Whole, on July 22,**
9 **2025, at 3:00 p.m.; approving the form of the Notice of Public Hearing and Assessment**
10 **Ballot Proceeding, and Assessment Ballot; directing environmental findings; and**
11 **directing the Clerk of the Board of Supervisors to give notice of the public hearing and**
12 **balloting as required by law.**

13
14 WHEREAS, Article XIIID of the California Constitution and the Property and Business
15 Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600 et
16 seq., "1994 Act") authorize cities to establish property and business improvement districts
17 funded by special assessments to promote the economic revitalization and physical
18 maintenance of such districts; and

19 WHEREAS, Consistent with Section 36603 of the 1994 Act, the City adopted Article
20 15A of the San Francisco Business and Tax Regulations Code ("Article 15A") which augments
21 certain procedural and substantive requirements related to the formation of Green Benefit
22 Districts and the assessments on real property or businesses within such districts; and

23 WHEREAS, On July 31, 2015, via Resolution No. 301-15, the City established the
24 "Dogpatch & Northwest Potrero Hill Green Benefit District" and levied multi-year assessments
25 on identified parcels in that district for the purpose of funding economic revitalization and

1 physical maintenance of the district, and this District is scheduled to expire on December 31,
2 2025; and

3 WHEREAS, The Board of Supervisors has received a petition to renew the GBD for
4 an additional 15-year term expiring on December 31, 2040, signed by property owners
5 who will pay 30 percent or more of the total amount of assessments, for the purpose of
6 levying additional multi-year assessments on properties located in the district to fund
7 property-related services, activities and improvements within the district; and

8 WHEREAS, A Management District Plan entitled the "Dogpatch & NW Potrero Hill
9 Green Benefit District (GBD) Management District Plan" containing information about the
10 proposed renewal of the district and assessments required by Section 36622 of the 1994
11 Act, including but not limited to maps showing all identified parcels located in the district,
12 a description of the boundaries of the district, the name of the district, the amount of the
13 proposed assessment for each identified parcel, the total annual amount chargeable to
14 the entire district, the duration of the payments, the property-related services, activities
15 and improvements to be funded by the assessments for each year and the maximum cost
16 thereof, the method and basis upon which the assessments are calculated in sufficient
17 detail to allow each property owner to calculate the amount of the assessment to be
18 levied against his or her property, a statement that no bonds will be issued, the time and
19 manner of collecting the assessments, and a list of the properties to be assessed
20 (including assessor parcel numbers), is on file with the Clerk of the Board of Supervisors
21 in File No. _____, which is hereby declared to be a part of this Resolution as if set
22 forth fully herein; and

23 WHEREAS, A detailed engineer's report supporting the assessments within the
24 proposed district, prepared by Terrance E. Lowell, California Registered Professional
25 Engineer No. 13398, titled "Dogpatch & NW Potrero Hill Green Benefit District Engineer's

1 Report" (the "District Assessment Engineer's Report"), is on file with the Clerk of the
2 Board of Supervisors in File No. _____, which is hereby declared to be a part of this
3 Resolution as if set forth herein; and

4 WHEREAS, A Proposed Boundaries Map, submitted pursuant to California Streets
5 and Highways Code, Section 3110, is on file with the Clerk of the Board of Supervisors in
6 File No. _____, which is hereby declared to be a part of this Resolution as if set forth
7 fully herein; now therefore, be it

8 RESOLVED, That the Board of Supervisors declares as follows:

9 Section 1. Pursuant to Section 36621(a) of the 1994 Act and Article 15A, the Board of
10 Supervisors declares its intention to renew the property and business improvement district
11 known as the "Dogpatch & Northwest Potrero Hill Green Benefit District" (the "District") for a
12 period of 15 years, and to levy and collect assessments against all identified parcels of real
13 property in the District for a period of 15 years, commencing with Fiscal Year (FY) 2025-2026,
14 subject to approval by a majority of the property owners in the District who cast assessment
15 ballots, which ballots shall be weighted according to the proportional financial obligations of
16 the affected properties. No bonds will be issued. District operations will commence on or
17 about January 1, 2026, following collection of the assessments for FY2025-2026 and
18 disbursement of the assessment proceeds to the nonprofit owners' association that will
19 administer the property-related services, activities and improvements in the District pursuant
20 to Section 36651 of the 1994 Act and a written agreement with the City.

21 Section 2. Nonpayment of assessments will have the same lien priority and delinquent
22 payment penalties and be subject to the same enforcement procedures and remedies as the
23 ad valorem property tax. All delinquent payment of assessments will be subject to interest and
24 penalties. The City Treasurer and Tax Collector will enforce imposition of interest and
25 penalties and collection of assessments pursuant to the 1994 Act, Article 15A and the San

1 Francisco Business and Tax Regulation Code, Article 6, as each may be amended from time
2 to time.

3 Section 3. The Board of Supervisors hereby approves the Management District Plan
4 and District Assessment Engineer's Report, including the estimates of the costs of the
5 property-related services, activities and improvements set forth in the plan, and the
6 assessment of said costs on the properties that will specially benefit from such services,
7 activities and improvements. The Clerk of the Board shall make the Management District
8 Plan, District Assessment Engineer's Report and other documents related to the District and
9 included in the record before the Board of Supervisors available to the public for review during
10 normal business hours, Monday through Friday 8:00 a.m. through 5:00 p.m., excluding legal
11 holidays.

12 Section 4. The Board of Supervisors hereby approves the Proposed Boundaries Map
13 showing the exterior boundaries of the District. The proposed District contains two zones,
14 Zone I and Zone II.

15 Zone I of the proposed district contains approximately 1,612 identified parcels, located
16 on approximately 48 whole or partial blocks.

17 Specifically, the Zone I District boundaries are:

- 18 • Mariposa Street from Iowa Street to Illinois Street (South side only)
- 19 • Illinois Street from Mariposa Street to Cesar Chavez Street (West side only)
- 20 • Cesar Chavez Street from Illinois Street to Pennsylvania Street (North side only)
- 21 • Pennsylvania Street from Cesar Chavez Street to 22nd Street (East side only)
- 22 • 22nd Street from Pennsylvania to Iowa Street (North side only)
- 23 • Iowa Street from 22nd Street to Mariposa Street (East side only)

- Tunnel Top Park Cesar Chavez Street (North side only) north past 25th Street to parcel 4224015; 25th Street from Pennsylvania to parcel 4224-160-162 at Texas traveling north to include parcel 4224-040.

Zone II of the proposed District contains approximately 356 identified parcels, located on approximately 19 whole or partial blocks.

Specifically, Zone II District boundaries are:

- 16th Street from Potrero Avenue to Kansas Street (south side only) (completely encompassing parcel 3958-006)
- Kansas Street from the northeast corner of parcel 3958-006 traveling south along the eastern perimeter of the parcel for 100 feet, then traveling west along the southern perimeter of the parcel for 100 feet, then traveling south to the southeast corner of 20th Street
- 19th Street from southeast corner of parcel 4029-022 to Potrero Avenue (North side only);
- 19th Street (South side only) from Kansas Street to Utah Street including parcel 4076-021
- Potrero Avenue from 19th Street to 16th Street (East side only)
- 20th Street (North side only) from Kansas to Utah including parcel 4076-011

Reference should be made to the detailed maps and the lists of parcels identified by Assessor Parcel Number that are contained in the Management District Plan, in order to determine which specific parcels are included in the Dogpatch & Northwest Potrero Hill Green Benefit District.

Section 5. A public hearing on the establishment of the District, and the levy and collection of assessments starting with fiscal year 2025-2026 and continuing through FY2040-

1 2041, shall be conducted before the Board of Supervisors, sitting as a Committee of the
2 Whole, on July 22, 2025, at 3:00 p.m., or as soon thereafter as the matter may be heard in the
3 Board's Legislative Chamber, Second Floor, City Hall, 1 Dr. Carlton B. Goodlett Place, San
4 Francisco, California, 94102. At this public hearing, the Board of Supervisors will hear public
5 testimony regarding the proposed renewal of the District, assessments, boundaries of the
6 District, including testimony from all interested persons for or against renewal of the District,
7 the extent of the District, the levy of the assessments, the furnishing of specific types of
8 property-related services, improvements and activities, and other matters related to the
9 District. The Board of Supervisors may waive any irregularity in the form or content of any
10 written protest, and at the public hearing may correct minor defects in the proceedings. All
11 protests submitted by affected property owners and received prior to the conclusion of the
12 public testimony portion of the public hearing shall be tabulated to determine whether a
13 majority protest exists.

14 Section 6. The Board of Supervisors hereby approves the form of the Notice of Public
15 Hearing and Assessment Ballot Proceeding, and Assessment Ballot which are on file with the
16 Clerk of the Board of Supervisors in File No. 250468 and which are declared to be a part of
17 this Resolution as if set forth fully herein.

18 Section 7. The proposed property-related services, improvements or activities for the
19 District include Maintenance, Capital Improvements, Accountability, Transparency & Citizen
20 Services, and Operations & Contingency/Reserves:

21 **Maintenance:** Maintenance includes, but is not limited to, maintenance care for new
22 and existing street trees, the maintenance and repair of irrigation systems, graffiti abatement
23 patrol officers to patrol graffiti hotspots, responses to requests for the removal of trash and
24 debris, pruning of shrubs, weed removal and fertilization, and the setting aside for the first
25 year only assessment funds to improve the maintenance of specific spaces.

1 **Capital Improvements:** Capital Improvements includes, but is not limited to: (1)
2 improvements to existing public realm areas, such as providing new playground equipment,
3 new trash and recycling receptacles, new park benches, and new irrigation systems; (2) the
4 development of new public realm areas, such as new parks, parklets, and plazas, planting
5 new trees and related bulb-outs, installing street furniture, and constructing traffic-calming
6 round-about, green spaces, at wide street intersections; and (3) developing green
7 infrastructure, such as providing new recycled water collection and distribution systems, new
8 storm water capture systems, new rainwater/storm water cisterns, and the installation of
9 energy generation and distribution systems.

10 **Accountability, Transparency, & Citizen Services:** Accountability, Transparency, &
11 Citizen Services includes, but is not limited to: (1) management of District affairs, such as the
12 finances and contracts for services, management of the relationship with the City, and
13 management of volunteer staff for the District; (2) performing marketing and communications
14 for the District, including, without limitations, the management of public relations and media
15 relations; (3) development of public communication and accountability, including, without
16 limitation, designing and updating the District's website, designing and updating the District's
17 smart phone application, and the development an outreach campaign to the City and the
18 media to ensure understanding of the purpose, work, and accomplishments of the District;
19 and (4) strategic planning, including, without limitation, updates to the District's "Green Vision
20 Plan," to convey the values, mission, goals and accomplishments of the District.

21 **Operations & Contingency/Reserves:** Operations & Contingency/Reserves,
22 includes, but is not limited to, the acquisition of insurance for operations and services,
23 providing for the expense of audit or financial reviews, and providing for potential cost
24 overruns for maintenance and improvement services up to 10%.

1 Section 8. Within the area encompassed by the proposed District, the City currently
2 provides services at the same level provided to other similar areas of the City. It is the intent
3 of the Board of Supervisors to continue to provide the area encompassed by the District with
4 the same level of services provided to these other similar areas of the City. The
5 establishment of the District will not affect the City's policy to continue to provide the same
6 level of service to the areas encompassed by the District as it provides to other similar areas
7 of the City during the duration of the District.

8 Section 9. The annual total assessments proposed to be levied and collected for the
9 first year of the District (FY2025-2026) is estimated to be \$ 900,190. The assessments for
10 years two through fifteen (FYs 2026-2027 through 2040 - 2041) may be increased from one
11 year to the next by a percentage that does not exceed either the change in the Consumer
12 Price Index for All Urban Consumers in the San Francisco-Oakland-San Jose Consolidated
13 Metropolitan Statistical Area (the "CPI"), or seven percent (7%), whichever is less. A parcel's
14 assessment also may increase in the event of future development of the parcel, based on the
15 assessment methodology in the Management Plan and Engineer's Report.

16 Section 10. Environmental Findings. Following the approval of this Resolution, the
17 Planning Department shall determine whether the actions contemplated in this Resolution are
18 in compliance with the California Environmental Quality Act (California Public Resource Code,
19 Sections 21000 et seq.), and respond in writing to the Clerk of the Board of Supervisors prior
20 to the Board's public hearing on the renewal of the District on July 22, 2025, at 3:00 p.m.

21 Section 11. The Clerk of the Board is directed to give notice of the public hearing as
22 provided in California Streets and Highways Code, Section 36623, California Government
23 Code, Section 53753, California Constitution, Article XIID Section 4, San Francisco Charter,
24 Section 16.112, and San Francisco Administrative Code, Section 67.7-1.
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