

1 [Establish, Renew and Expand - Dogpatch and Northwest Potrero Hill Green Benefit District]
2
3 **Resolution to establish, renew and expand the property-based business improvement**
4 **district known as the "Dogpatch and Northwest Potrero Hill Green Benefit District";**
5 **ordering the levy and collection of assessments against property located in that district**
6 **for a term of 15 years commencing with Fiscal Year 2025-2026, through December 31,**
7 **2040, subject to conditions as specified herein; and making environmental findings.**
8

9 WHEREAS, Article XIID of the California Constitution and the Property and Business
10 Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600 et
11 seq., "1994 act") authorize cities to establish property and business improvement districts
12 funded by special assessments to promote the economic revitalization and physical
13 maintenance of such districts; and

14 WHEREAS, On July 31, 2015, via Article 15A of the Business and Tax Regulation
15 Code and Resolution No. 301-15 and, the City established a green benefit district known as
16 the "Dogpatch and Northwest Potrero Hill Green Benefit District" ("the District") and levied
17 multi-year assessments on identified parcels in the District for the purpose of funding
18 revitalization and physical maintenance of the District, and this District is scheduled to expire
19 on December 31, 2025; and

20 WHEREAS, On May 20, 2025, the Board of Supervisors adopted Resolution No. 249-
21 25 ("Resolution of Intention") that declared the Board's intention to renew the District for a 15-
22 year term expiring on December 31, 2040, and made various findings and took other
23 legislative actions required to form the proposed district and levy the proposed assessments
24 (Board File No. 250468; and
25

1 WHEREAS, Among other things, the Resolution of Intention approved the District
2 Management Plan, the detailed District Assessment Engineer's Report, the Boundaries Map,
3 and the form of the Notice of Public Hearing and Assessment Ballot Proceeding, all of which
4 are on file with Clerk of the Board of Supervisors in File No. 250468 and incorporated herein
5 by reference; and

6 WHEREAS, The Board of Supervisors has given notice of a public hearing concerning
7 the proposed renewal of the District and the proposed levy of assessments against property
8 located within the District for a period of 15 years, for fiscal years 2025-2026 through 2039-
9 2040, as required by law; and

10 WHEREAS, The Board of Supervisors has caused ballots to be mailed to the record
11 owner of each parcel proposed to be assessed within the District, as required by law; and

12 WHEREAS, A public hearing concerning the proposed renewal of the Dogpatch
13 and Northwest Potrero Hill GBD and the proposed levy of assessments within such
14 District was held on July 22, 2025, at 3:00 p.m., in the Board's Legislative Chamber
15 located on the Second Floor of City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco,
16 California; and

17 WHEREAS, At the public hearing, the testimony of all interested persons for or
18 against the proposed renewal of the District, the levy of assessments on property within
19 the District, the extent of the District, and the furnishing of specified types of
20 improvements, services and activities within the District, was heard and considered, and
21 a full, fair and complete meeting and hearing was held; and

22 WHEREAS, The Board of Supervisors heard and considered all objections or
23 protests to the proposed assessments and the Director of the Department of Elections
24 tabulated the assessment ballots submitted and not withdrawn, in support of or in
25 opposition to the proposed assessments, and the Clerk of the Board determined that a

majority of the ballots cast (weighted according to the proportional financial obligations of the property) by the owners of record of the property located within the proposed District did not oppose establishing the proposed District; and

WHEREAS, The public interest, convenience and necessity require the renewal of the Dogpatch and Northwest Potrero Hill GBD; and

WHEREAS, In the opinion of the Board of Supervisors, the property within the District will be specially benefited by the improvements, services and activities funded by the assessments; and no assessment has been imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel; now, therefore, be it

RESOLVED, That the Board of Supervisors declares as follows:

Section 1. **MANAGEMENT DISTRICT PLAN, DISTRICT ASSESSMENT**

ENGINEER'S REPORT, AND BOUNDARIES MAP. The Board hereby approves the Management District Plan and District Assessment Engineer's Report, including the estimates of the costs of the property-related services, activities and improvements set forth in the plan, and the assessment of said costs on the properties that will specially benefit from such services, activities and improvements. The Board also hereby approves the Boundaries, showing the exterior boundaries of the District, and ratifies and approves the Assessment Ballot and the City's use of such ballot, which Assessment Ballot is on file with the Clerk of the Board of Supervisors in File No. 250469 and is hereby declared to be a part of the Resolution as if set forth fully herein. A copy of the Management District Plan, the District Assessment Engineer's Report, and the Boundaries Map are on file with the Clerk of the Board of Supervisors in File No. 250468, which is hereby declared to be a part of this Resolution as if set forth fully herein.

1 Section 2. **FINDING OF NO MAJORITY PROTEST.** The Board of Supervisors hereby
2 finds that a majority protest does not exist as defined in Section 4(e) of Article XIID of the
3 California Constitution and Section 53753 of the California Government Code with respect to
4 the renewal of the Dogpatch and Northwest Potrero Hill Green Benefit District. All objections
5 or protests both written and oral, are hereby duly overruled.

6 Section 3. **ESTABLISHMENT OF DISTRICT.** Pursuant to the 1994 Act and Article
7 15A, the renewed property-based business improvement district designated as the "Dogpatch
8 and Northwest Potrero Hill Green Benefit District" is hereby established.

9 Section 4. **DESCRIPTION OF DISTRICT.** The Board of Supervisors hereby approves
10 the Proposed Boundaries Map showing the exterior boundaries of the District. The Dogpatch
11 and Northwest Potrero Hill Green contains two zones, Zone I and Zone II.

12 Zone I of the proposed District contains approximately 1,612 identified parcels, located
13 on approximately 49 whole or partial blocks.

14 Specifically, the Zone I District boundaries are:

- 15 • Mariposa Street from Iowa Street to Illinois Street (South side only)
- 16 • Illinois Street from Mariposa Street to Cesar Chavez Street (West side only)
- 17 • Cesar Chavez Street from Illinois Street to Pennsylvania Street (North side only)
- 18 • Pennsylvania Street from Cesar Chavez Street to 22nd Street (East side only)
- 19 • 22nd Street from Pennsylvania to Iowa Street (North side only)
- 20 • Iowa Street from 22nd Street to Mariposa Street (East side only)
- 21 • Tunnel Top Park Cesar Chavez Street (North side only) north past 25th Street to
22 parcel 4224015; 25th Street from Pennsylvania to parcel 4224-160-162 at Texas
23 traveling north to include parcel 4224-040.

24 Zone II of the proposed District contains approximately 356 identified parcels located
25 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 and Northwest Potrero Hill Green Benefit District.

Section 5. **FINDING OF BENEFIT.** The Board of Supervisors hereby finds that the property within the District will specially benefit from by the improvements and activities funded by the assessments proposed to be levied.

Section 6. **SYSTEM OF ASSESSMENTS.**

(a) Annual assessments will be levied to pay for the activities to be provided within the District, commencing with fiscal year 2025-2026, and continuing for 15 years, ending with

1 fiscal year 2039-2040. For purposes of levying and collecting assessments within the District,
2 a fiscal year shall commence on each July 1st and end on the following June 30th.

3 (b) The amount of the proposed assessments to be levied and collected for fiscal year
4 (FY) 2025-2026 shall be a maximum of \$900,190 (as shown in the Management District Plan
5 and Engineer's Report dated October 2024). The amount of assessments to be levied and
6 collected in fiscal years 2 through 15 may be increased annually by the Board of Directors of
7 the Owners' Association for the Dogpatch and Northwest Potrero Hill Green Benefit District by
8 an amount not to exceed the change in the Consumer Price Index for All Urban Consumers in
9 the San Francisco-Oakland-San Jose Consolidated Metropolitan Statistical Area, or seven
10 percent (7%), whichever is less.

11 (c) The method and basis of levying and collecting the assessment shall be as set forth
12 in the Management District Plan.

13 (1) The levy of the assessments shall commence with FY 2025-2026. Each year the
14 assessment shall be due and payable in two equal installments. The first installment shall be
15 due on November 1 of each fiscal year during the life of the District, and shall become
16 delinquent on December 10 of that fiscal year. The second installment shall be due on
17 February 1 of each fiscal year during the life of the District, and shall become delinquent on
18 April 10 of that fiscal year.

19 (2) Nonpayment of the assessment shall have the same lien priority and delinquent
20 payment penalties and be subject to the same enforcement procedures and remedies as the
21 ad valorem property tax. All delinquent payment of assessments shall be subject to interest
22 and penalties. The City Treasurer and Tax Collector will enforce imposition of interest and
23 penalties and collection of delinquent assessments pursuant to the Business Assessment Law
24 and City Business and Tax Regulations Code Article 6, as each may be amended from time to
25 time.

1 Section 7. **USE OF REVENUES.** The proposed property-related services,
2 improvements and activities for the District include:

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

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

17 **Accountability, Transparency, & Citizen Services:** Accountability, Transparency, &
18 Citizen Services includes, but is not limited to: (1) management of District affairs, such as the
19 finances and contracts for services, management of the relationship with the City, and
20 management of volunteer staff for the District; (2) performing marketing and communications
21 for the District, including, without limitations, the management of public relations and media
22 relations; (3) development of public communication and accountability, including, without
23 limitation, designing and updating the District's website, designing and updating the District's
24 smart phone application, and the development an outreach campaign to the City and the
25 media to ensure understanding of the purpose, work, and accomplishments of the District;

1 and (4) strategic planning, including, without limitation, updates to the District's "Green Vision
2 Plan," to convey the values, mission, goals and accomplishments of the District.

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

7 Section 8. **AUTHORITY TO CONTRACT.** The Board of Supervisors may contract with
8 a separate private entity to administer the improvements, services and activities set forth in
9 Section 7, as provided in Section 36612 of the California Streets and Highways Code. Any
10 such entity shall hold the funds it receives from the City and County of San Francisco ("City")
11 in trust for the improvements, services and activities set forth in Section 7. Any such entity that
12 holds funds in trust for purposes related to the contract shall deliver, at no expense to the City,
13 a balance sheet and the related statement of income and cash flows for each fiscal year, all in
14 reasonable detail acceptable to City, reviewed by a Certified Public Accountant (CPA); this
15 review shall include a statement of negative assurance from the CPA. In addition, or
16 alternatively, the Controller in his or her discretion or the Department of Public Works in its
17 discretion, may require the private entity to deliver, at no expense to the City, an annual
18 independent audit report by a Certified Public Accountant of all such funds. The CPA review
19 and/or audit may be funded from assessment proceeds as part of the general administration
20 of the District. At all times the Board of Supervisors shall reserve full rights of accounting of
21 these funds. The Department of Public Works shall be the City agency responsible for
22 coordination between the City and the District.

23 Section 9. **AMENDMENTS.** The properties in the District established by this
24 Resolution shall be subject to any amendments to the 1994 Act, and City Business and Tax
25 Regulations Code Article 6 and Article 15A.

1 Section 10. **RECORDATION OF NOTICE AND DIAGRAM.** The County Clerk is
2 hereby authorized and directed to record a notice and an assessment diagram pursuant to
3 Section 36627 of the California Streets and Highways Code, following adoption of this
4 Resolution.

5 Section 11. **LEVY OF ASSESSMENT.** The adoption of this Resolution and recordation
6 of the notice and assessment diagram pursuant to Section 36627 of the California Streets and
7 Highways Code constitutes the levy of an assessment in each of the fiscal years referred to in
8 the District Management Plan. Each year, the Assessor shall enter on the County Assessment
9 Roll opposite each lot or parcel of land the amount of the assessment and such assessment
10 shall be collected in the same manner as the County property taxes are collected.

11 Section 12. **BASELINE SERVICES.** To ensure that assessment revenues from the
12 District are used to enhance the current level of services provided by the City within the
13 District, the establishment of the District will not affect the City's policy to continue to provide
14 the same level of service to the areas encompassed by the District as it provides to other
15 similar areas of the City for the duration of the District, provided, however, that in the event of
16 a significant downturn in citywide revenues, the Board of Supervisors may reduce the level of
17 municipal services citywide, including within the District.

18 Section 13. **ENVIRONMENTAL FINDINGS.** The Planning Department has determined
19 that the actions contemplated in this Resolution are in compliance with the California
20 Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said
21 determination is on file with the Clerk of the Board of Supervisors in File No. 150795, which is
22 hereby declared to be a part of this Resolution as if set forth fully herein.