

1 [Resolution of Intention - Renewal & Expansion - Ocean Avenue Community Benefit District]

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3 **Resolution declaring the intention of the Board of Supervisors to renew and expand a**
4 **property-based business improvement district, known as the “Ocean Avenue**
5 **Community Benefit District,” and levy a multi-year assessment on all parcels in the**
6 **district; approving the management district plan, 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 8,**
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 XIID of the California Constitution and the Property and Business
15 Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600 et
16 sea., “1994 Act”) authorizes 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 has adopted
20 Article 15 of the San Francisco Business and Tax Regulations Code (“Article 15”), which
21 augments certain procedural and substantive requirements relating to the formation of
22 property and business improvement districts and the assessments on real property or
23 businesses within such districts; and

24 WHEREAS, Pursuant to the foregoing, the Board of Supervisors has received a
25 Petition from property owners who will pay 30% or more of the total assessments on

1 properties withing the proposed district, requesting that the Board of Supervisors renew and
2 expand the property-based community benefit district known as the "Ocean Avenue
3 Community Benefit District," and levy assessments on properties located in the proposed
4 district to fund property-related services, activities and improvement within the district; and

5 WHEREAS, A Management District Plan entitled "Ocean Avenue Community Benefit
6 District Management Plan" ("Management District Plan") containing information about the
7 proposed district and assessments required by Section 36622 of the 1994 Act, including but
8 not limited to a map showing all parcels located in the district, a description of the boundaries
9 of the district, the name of the district, the amount of the proposed assessment for each
10 parcel, the total annual amount chargeable to the entire district, the duration of the payments,
11 the property-related services, activities and improvements to be funded by the assessments
12 for each year and the maximum cost thereof, the method and basis upon which the
13 assessments are calculated in sufficient detail to allow each property owner to calculate the
14 amount of the assessment to be levied against his or her property, a statement that no bonds
15 will be issued, the time and manner of collecting the assessments, and a list of the properties
16 to be assessed (including assessor parcel numbers), is on file with the Clerk of the Board of
17 Supervisors in File No. 250368, which is hereby declared to be a part of this Resolution as if
18 set forth fully herein; and

19 WHEREAS, A detailed engineer's report supporting the assessments within the
20 proposed district, prepared by John Egan, California Registered Professional Engineer No.
21 14853 entitled "Ocean Avenue Community Benefit District Engineer's Report" ("Engineer's
22 Report") is on file with the Clerk of the Board of Supervisors in File No. 250368, which is
23 hereby declared to be a part of this Resolution as if set forth fully herein; and

24 WHEREAS, A Proposed Boundaries Map, submitted pursuant to California Streets and
25 Highways Code, Section 3110, is on file with the Clerk of the Board of Supervisors in File

1 No. 250368, which is hereby declared to be a part of this Resolution as if set forth fully herein;
2 now, therefore, be it

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

4 Section 1. Pursuant to Section 36621(a) of the 1994 Act and Article 15, the Board of
5 Supervisors declares its intention to renew and expand the property and business
6 improvement district known as the "Ocean Avenue Community Benefit District" ("District") for
7 a period of fifteen years and one half (15 ½) years, and to levy and collect assessments
8 against all parcels of real property in the District for fifteen of those years, commencing with
9 fiscal year ("FY") 2025-2026, subject to approval by a majority of the property owners in the
10 District who cast assessment ballots, which ballots shall be weighted according to the
11 proportional financial obligations of the affected properties. No bonds will be issued. District
12 operations are expected to commence on or about January 1, 2026, following collection of the
13 assessments for FY2025-2026 and disbursement of the assessment proceeds to the nonprofit
14 owners' association that will administer the property-related services, activities and
15 improvements in the District pursuant to Section 36651 of the 1994 Act and a written
16 agreement with the City.

17 Section 2. Nonpayment of assessments will have the same lien priority and delinquent
18 payment penalties and be subject to the same enforcement procedures and remedies as the
19 ad valorem property tax. All delinquent payment of assessments will be subject to interest
20 and penalties. The City Treasurer and Tax Collector will enforce imposition of interest and
21 penalties and collection of assessments pursuant to the 1994 Act, Article 15 and the San
22 Francisco Business and Tax Regulation Code Article 6, as each may be amended from time
23 to time.

24 Section 3. The Board of Supervisors hereby approves the Management District Plan
25 and 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 Clerk of the Board shall make the Management District Plan, Engineer's Report and other documents related to the District 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 4. The Board of Supervisors hereby approves the Proposed Boundaries Map showing the boundaries of the District. The proposed District contains approximately 339 identified parcels located on approximately 33 whole or partial blocks.

The Ocean Avenue CBD generally comprises those properties along Ocean Avenue from:

- 19th Avenue to the west and,
- Junipero Serra Boulevard to the east.

Ocean Avenue from:

- Manor Drive in the west and,
- I-280 in the east.

Geneva Avenue from:

- Ocean Avenue in the west and,
- I-280 in the east.

Assessor Parcel Numbers that are contained in the Management District Plan, in order to determine which specific parcels are included in the Ocean Avenue Community Benefit District.

Section 5. A public hearing on the renewal of the District, and the levy and collection of assessments starting with FY2025-2026 and continuing through FY2039-2040, shall be

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

13 Section 6. The Board of Supervisors hereby approves the form of the Notice of Public
14 Hearing and Assessment Ballot Proceeding, and Assessment Ballot, which are on file with the
15 Clerk of the Board of Supervisors in File No. 250368; which are hereby declared to be a part
16 of this Resolution as if set forth fully herein.

17 Section 7. The proposed property-related services, improvements and activities for the
18 District include a Cleaning and Maintenance program, a Streetscape Improvements and
19 Beautification program, a Marketing and Economic Development program, and Management
20 and Operations.

21
22 **Cleaning and Maintenance:** Cleaning and Maintenance program includes, but is not
23 limited to, sidewalk and gutter sweeping, sidewalk pressure washing, trash removal, and graffiti
24 and handbill removal.

1 **Streetscape Improvements and Beautification:** Streetscape Improvements and
2 Beautification programs includes, but is not limited to, maintaining plants and trees,
3 implementation of placemaking, and beautification including establishing public art, murals,
4 sculptures, lighting and decorative landscaping.

5 **Marketing & Economic Development:** Marketing & Economic Development
6 includes, but is not limited to, retaining and attracting new tenants, promoting commerce and
7 economic activities within the CBD, providing one-on-one assistance with business owners in
8 lease negotiation, compliance and permitting.

9 **Management & Operations:** Management and Operations include, but is not limited
10 to, daily oversight and operations of the CBD, adherence to the Management District Plan,
11 compliance with audit/reporting requirements, as well as fundraising, building and managing
12 relationships with the neighborhood association/groups, city agencies/departments and
13 elected officials.

14 Section 8. Within the area encompassed by the proposed District, the City currently
15 provides services at the same level provided to other similar areas of the City. It is the intent
16 of the Board of Supervisors to continue to provide the area encompassed by the District with
17 the same level of services provided to other similar areas of the City; formation of the District
18 will not affect the City's policy to continue to provide the same level of service to the areas
19 encompassed by the District as it provides to other similar areas of the City during the term of
20 the District.

21 Section 9. The annual total assessments proposed to be levied and collected for the
22 first year of the District (FY2025-2026) is estimated to be \$479,581. The amount of the total
23 annual assessments to be levied and collected for years two through fifteen (FYs 2026-2027
24 through 2039-2040) may be increased from one year to the next due to changes to the
25 consumer price index (CPI). Assessments may also increase based on development in the

1 District. The determination of annual adjustments in assessment rates will be subject to the
2 approval of the Ocean Avenue Community Benefit District Owners' Association. Assessment
3 rates may not increase more than that year's increase in the San Francisco, Oakland, and
4 San Jose area Consumer Price Index (CPI) or 5%, whichever is less.

5 Section 10. Environmental Findings. Following the approval of this Resolution, the
6 Planning Department shall determine whether the actions contemplated in this Resolution are
7 in compliance with the California Environmental Quality Act (California Public Resources
8 Code, Sections 21000 et seq.), and respond in writing to the Clerk of the Board of Supervisors
9 prior to the Board's public hearing on the renewal of the District on July 8, 2025 at 3:00 p.m.

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