

1 [Assessment Ballots for City-Owned Parcels – Dogpatch & Northwest Potrero Hill Green  
Benefit District]

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3 **Resolution authorizing the Mayor or his designees to cast assessment ballots in the**  
4 **affirmative on behalf of the City and County of San Francisco as owner of seven**  
5 **parcels of real property over which the Board of Supervisors has jurisdiction, where**  
6 **those parcels would be subject to assessment in the proposed property-based**  
7 **business improvement district to be named the “Dogpatch & Northwest Potrero Hill**  
8 **Green Benefit District.”**

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10 WHEREAS, Pursuant to the Property and Business Improvement Law of 1994,  
11 California Streets and Highways Code, Sections 36600 et seq. (the "Act"), as augmented by  
12 Article 15A of the San Francisco Business and Tax Regulations Code ("Article 15A"), the  
13 Board of Supervisors adopted Resolution No. 198-15 on June 9, 2015, entitled “Resolution  
14 declaring the intention of the Board of Supervisors to establish a property-based business  
15 improvement district to be known as the ‘Dogpatch & Northwest Potrero Hill Green Benefit  
16 District’ and levy a multi-year assessment on identified parcels in the district; approving the  
17 management district plan and engineer’s report and proposed boundaries map for the district;  
18 ordering and setting a time and place for a public hearing thereon; approving the form of the  
19 Notice of Public Hearing and Assessment Ballots Proceeding, and Assessment Ballot;  
20 directing environmental findings; and directing the Clerk of the Board of Supervisors to give  
21 notice of the public hearing and balloting as required by law” (the "Resolution of Intention,"  
22 BOS File No. 150535); and

23 WHEREAS, The Resolution of Intention for the Dogpatch & Northwest Potrero Hill  
24 Green Benefit District (the "Dogpatch & Northwest Potrero Hill GBD" or "District"), among  
25 other things, approved the Dogpatch & Northwest Potrero Hill Green Benefit District

1 Management District Plan (the "District Management Plan"), dated March 27, 2015, the  
2 District Assessment Engineer's Report, dated March 27, 2015, and the form of the  
3 Assessment Ballots and the Notice of Public Hearing, that are all on file with Clerk of the  
4 Board of Supervisors in File No. 150535; and

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

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

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

18 WHEREAS, The City-owned parcels over which the Board of Supervisors has  
19 jurisdiction (not including the Other Property) are listed in the following chart, showing the  
20 street address for each, Assessor's lot and block number, name/description of building,  
21 proposed assessment amount for each, and the percent of the total proposed assessments  
22 for the District that each parcel would be assessed (which is the corresponding weight to be  
23 afforded the City's signature on the ballot to establish the Dogpatch & Northwest Potrero Hill  
24 GBD):

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ADDRESS	LOT / BLOCK	NAME / DESCRIPTION OF BUILDING	EST. ASSESSMENT AMOUNT FOR FIRST YEAR	% OF TOTAL GBD BUDGET
2300 3 <sup>rd</sup> Street	4108 037	Department of Real Estate	\$1,140.44	0.231%
Public rights-of-way at approximately 1270 Pennsylvania Avenue	4291 018	Department of Public Works	\$78.46	0.016%
Public rights-of-way at approximately 910 Cesar Chavez Street	4314 001	Department of Public Works	\$275.41	0.056%
Public rights-of-way at approximately 1240 Cesar Chavez Street	4317 014	Department of Public Works	\$301.94	0.061%
Public rights-of-way at approximately 1320 Cesar Chavez Street	4318 017	Department of Public Works	\$772.21	0.157%
Public rights-of-way at approximately 495 San Bruno Avenue	3975 001N	Department of Public Works	\$150.80	0.031%
700 Minnesota St.	4061 002	Recreation and Park Department	\$1,902.00	0.386%
Subtotal for City-Owned Parcels under Board of Supervisors Jurisdiction, for Year One (Fiscal Year 2015-2016) of Dogpatch & Northwest Potrero Hill GBD, to be Established for a 10 year term			\$4,621.26	0.938%

WHEREAS, The Board of Supervisors will hold a public hearing on July 28, 2015, at 3:00 p.m. to consider public testimony on the proposed formation of the Dogpatch & Northwest Potrero Hill Green 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

1           WHEREAS, The Board of Supervisors may cast the assessment ballots for those  
2 parcels over which it has jurisdiction, to either approve or disapprove the proposed  
3 assessments for those parcels that would be subject to assessment; or the Board may  
4 authorize a representative to submit the assessment ballots for parcels over which the Board  
5 has jurisdiction; and

6           WHEREAS, At the July 28, 2015, public hearing, the Board is likely to receive public  
7 testimony both in favor of and against the levying of assessments, and the Department of  
8 Elections will tabulate the assessment ballots submitted by the owners of affected properties  
9 to determine if there is a majority protest; and

10           WHEREAS, It is appropriate for the Board of Supervisors to authorize a representative  
11 to submit assessment ballots for the City-owned parcels within the proposed district over  
12 which the Board has jurisdiction, to avoid confusion on the Board's dual role as both the  
13 legislative body that may form the district and levy assessments if there is no majority protest  
14 by the affected property owners, and as the decision-making body for the City as the owner of  
15 property subject to assessments; now, therefore, be it

16           RESOLVED, That the Mayor or his designees is hereby authorized to submit any and  
17 all assessment ballots in the affirmative for the above-listed parcels of real property owned by  
18 the City and County of San Francisco over which the Board has jurisdiction (which list does  
19 not include the Other Property) that would be subject to assessment in the proposed property  
20 and business improvement district to be named the Dogpatch & Northwest Potrero Hill Green  
21 Benefit District; and, be it

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

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1           FURTHER RESOLVED, That the Clerk of the Board of Supervisors shall cause copies  
2 of this Resolution to be delivered to the Department of Public Works, the Director of Elections,  
3 the City departments with jurisdiction over the Other Property, the Green Benefit District  
4 Formation Committee, and placed in the Board of Supervisors file for the Resolution to  
5 establish the proposed district.

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