

BOARD of SUPERVISORS



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MEMORANDUM

TO: Ben Rosenfield, City Controller, Office of the Controller
Todd Rufo, Director, Office of Economic and Workforce Development

FROM: John Carroll, Assistant Clerk, Government Audit and Oversight
Committee, Board of Supervisors

DATE: March 20, 2018

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Government Audit and Oversight Committee has received the following proposed legislation, introduced by Supervisor Peskin on March 13, 2018:

File No. 180244

Resolution receiving and approving the annual report for the Fisherman's Wharf Community Benefit District and Fisherman's Wharf Portside Community Benefit District for FY2016-2017, submitted as required by the Property and Business Improvement District Law of 1994 (California Streets and Highways Code, Sections 36600 et seq.), Section 36650, and the Districts' management agreements with the City, Section 3.4.

If you have any comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Todd Rydstrom, Office of the Controller
Ken Rich, Office of Economic and Workforce Development
Lisa Pagan, Office of Economic and Workforce Development

1 [Fisherman's Wharf and Fisherman's Wharf Portside Community Benefit Districts - Annual
2 Report - FY2016-2017]

3 **Resolution receiving and approving the annual report for the Fisherman's Wharf**
4 **Community Benefit District and Fisherman's Wharf Portside Community Benefit District**
5 **for FY2016-2017, submitted as required by the Property and Business Improvement**
6 **District Law of 1994 (California Streets and Highways Code, Sections 36600 *et seq.*),**
7 **Section 36650, and the Districts' management agreements with the City, Section 3.4.**

8
9 WHEREAS, The Fisherman's Wharf Community Benefit District (the
10 "Fisherman's Wharf CBD") was established by the Board of Supervisors in 2005, and
11 the Fisherman's Wharf Portside Community Benefit District (the "Fisherman's Wharf
12 Portside CBD") was established by the Board of Supervisors in 2006, as described
13 below; and

14 WHEREAS, Both the Fisherman's Wharf CBD and the Fisherman's Wharf
15 Portside CBD are administered by the same owners' non-profit association, known as
16 the Fisherman's Wharf Association, as described below; and

17 WHEREAS, On June 7, 2005, in accordance with the Property and Business
18 Improvement District Law of 1994, California Streets and Highways Code
19 Sections 36600 *et seq.* (the "Act"), as augmented by Article 15 of the San Francisco
20 Business and Tax Regulations Code ("Article 15"), the Board of Supervisors adopted
21 Resolution No. 386-05 expressing the City's intent to form the Fisherman's Wharf CBD;
22 and

23 WHEREAS, On July 26, 2005, the Board of Supervisors adopted Resolution
24 No. 540-05 establishing the Fisherman Wharf's CBD for a period of 15 years
25 commencing with FY2005-2006; and

1 WHEREAS, On January 10, 2006, the Board of Supervisors adopted Resolution
2 No. 16-06 authorizing a contract with the Fisherman's Wharf Association for the
3 management and administration of the Fisherman's Wharf CBD (the "Fisherman's
4 Wharf CBD Management Contract") which is on file with the Clerk of the Board of
5 Supervisors in File No. 052026; and

6 WHEREAS, On October 24, 2006, in accordance with the Act, as augmented by
7 Article 15, the Board of Supervisors adopted Resolution No. 586-06 expressing the
8 City's intent to form the Fisherman's Wharf Portside CBD; and

9 WHEREAS, On December 12, 2006, the Board of Supervisors adopted
10 Resolution No. 696-06 establishing the Fisherman's Wharf Portside CBD for a period
11 of 14 years commencing with FY2005-2006; and

12 WHEREAS, On June 19, 2007, the Board of Supervisors adopted Resolution
13 No. 312-07 with the Fisherman's Wharf Association, authorizing a contract with the
14 Fisherman's Wharf Association for the management and administration of the
15 Fisherman's Wharf Portside CBD (the "Fisherman's Wharf Portside Management
16 Contract") which is on file with the Clerk of the Board of Supervisors in File No. 070838;
17 and

18 WHEREAS, On March 14, 2017, the Board of Supervisors approved the
19 Fisherman's Wharf CBD's and the Fisherman's Wharf Portside CBD's annual report for
20 FY2015-2016 in Resolution No. 077-17; and

21 WHEREAS, The Fisherman's Wharf Association has submitted for the Board's
22 receipt and approval an annual report for both the Fisherman's Wharf CBD and
23 Fisherman's Wharf Portside CBD for FY2016-2017 as required by Section 36650 of the
24 Act and Section 3.4 of the Fisherman's Wharf Management Contract and the
25 Fisherman's Wharf Portside Management Contract (the "Annual Report"), which is on

1 file with the Clerk of the Board of Supervisors in File No. 180244 and is incorporated
2 herein by reference as though fully set forth; and

3 WHEREAS, Supporting documents, including, but not limited to, a transmittal
4 letter and memorandum report from the City's Office of Economic and Workforce
5 Development, dated February 13, 2018, and documentation from the Fisherman's
6 Wharf Association for the Annual Report is on file with the Clerk of the Board of
7 Supervisors in File No. 180244; now, therefore, be it

8 RESOLVED, That the Board of Supervisors hereby receives and approves the annual
9 report for the Fisherman's Wharf Community Benefit District and Fisherman's Wharf Portside
10 Community Benefit District for FY2016-2017.