



**FISHERMAN'S WHARF LANDSIDE
COMMUNITY BENEFIT DISTRICT**

In The City and County of San Francisco

Management District Plan

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Prepared by:



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1. EXECUTIVE SUMMARY

1.1 Fisherman’s Wharf Community Benefit District

The Fisherman’s Wharf Community Benefit District (the “FWCBD”) was formed by the City of San Francisco (the “City”) in November 2005 with the establishment of the Landside CBD property-based assessment (the “Landside CBD” or “District”) to serve the business and property owners of this San Francisco neighborhood. Later, in December 2006, the City formed the Portside CBD business-based assessment (the “Portside CBD”), which incorporates businesses with leases from the Port of San Francisco.

The FWCBD immediately began serving businesses and residents of San Francisco through the levy and collection of these assessments to fund vital marketing, events, advocacy, cleaning, streetscapes, security, and safety programs within the Landside CBD. Based on the success of the prior district, Property owners have shown support to renew the Landside CBD through Fiscal Year 2034/35 to continue funding these vital programs and activities.

1.2 Goals of the FWCBD

The mission of the FWCBD is to preserve and enhance its vast San Francisco waterfront landscape and multi-cultural heritage, while integrating modern efficiencies to enrich the experience of visitors from both near and far through:

- Clean and Safe
 - Sidewalk sweeping and pressure washing
 - Graffiti removal and abatement
 - Security patrols
 - Emergency preparedness
- Marketing
- Streetscape Improvements
- Traffic and Urban Planning
- Market Research

Given its broad representation and focused activities, the FWCBD has served as a catalyst for the unification of Fisherman’s Wharf constituents and has successfully supported a number of positive changes in this historic San Francisco neighborhood.



We envision San Francisco’s Fisherman’s Wharf to be a world-class destination that celebrates its unique history and historical importance in the fishing industry while offering an unparalleled retail, dining, and entertainment experience that showcases the natural beauty of the waterfront.

1.3 Management District Plan Overview

The Management District Plan is the result of the work of the FWCBD, dedicated to improving the Fisherman’s Wharf area for the benefit of property owners and the community. This Management District Plan focuses on proposed activities and improvements within the boundaries of the Landside CBD only and includes a boundary, annual budget, assessment methodology, and district management guidelines. For definitions, descriptions, and calculations of special benefits relative to the FWCBD, that information can be found in the Engineer’s Report attached as Appendix C within this Management District Plan. There is a separate Management Plan that contains information on the proposed Portside CBD.

2. DISTRICT AT A GLANCE

Property owners established the existing Landside CBD in 2005 for a fifteen-year operational term. Based on the success of the prior district, property owners have shown support to renew the Landside CBD, with certain adjustments to the assessment methodology.

2.1 Landside CBD Boundaries

The Landside CBD is located in the historic Fisherman’s Wharf neighborhood of the City of San Francisco. The District is generally bounded by Jefferson Street to the North, Bay Street to the South (reaching Francisco Street in some areas), the Embarcadero to the East, and Van Ness Avenue to the West. The proposed Landside CBD boundary includes the property described below:

There are 198 assessable physical properties, 28,337 linear front feet, 4,806,700 building square feet, and 2,340,298 lot square feet within the Landside CBD.

Refer to Appendix A of this Management District Plan for a Boundary Map that more fully provides a description of the Landside CBD boundaries.

2.2 Services and Activities

The services and activities described in this Management District Plan include the provision of the Clean and Safe program, the Marketing and Event program, as well as various management activities to support those efforts, as further described in Section 4, herein.

2.3 Annual Total Budget and Assessments

The total proposed annual budget for Fiscal Year 2020/21 is \$1,340,637.53. Anticipated assessment revenue of \$1,218,907.64 will provide 90.92% of the annual operating budget. The remaining portion of the annual budget will be generated from sources other than assessments, such as contributions, fundraising, grants, donations, or other revenues.

Any surplus monies from the existing Landside CBD as of December 31, 2020, to be carried over, can only be used to benefit those properties within the Landside CBD. If this is not practical, such surplus monies will be refunded to property owners in the Landside CBD in proportion to how they were assessed under the prior Landside CBD.

The assessment calculation for each property utilizes a combination of land use, street front footage, building square footage, and lot square footage. Section 6 of this Management District Plan provides a more detailed procedure of the annual assessment calculation.

2.4 Term

If renewed, assessments would be collected for fifteen years (July 1, 2020, through June 30, 2035). Expenditure of those collected assessments can continue for up to six months after the end of the assessment collection period (December 31, 2035), at which point the Landside CBD would terminate, if not renewed again.

3. BACKGROUND

The City can establish special assessment districts to provide a constant funding source for improvements, maintenance, and activities that benefit properties within a defined geographical area. The improvements, maintenance, and activities can include providing enhanced cleaning and maintenance services, improving security, providing for marketing activities to promote and revitalize an area, and other programs found to benefit an area. The ongoing revenue stream for the improvements, maintenance, and activities comes from annual assessments levied on properties in the district that will specially benefit from the activities. The process by which special assessment districts are formed is outlined below.

3.1 What is a Property and Business Improvement District?

A Property and Business Improvement District (“PBID”) is a special assessment district that provides for the levy and collection of assessments on properties within a geographically defined area. Assessment revenue collected from the benefitting properties pays the costs associated with the improvements, maintenance, and activities provided to such area. The legislation that allows for the establishment of a PBID is the Property and Business Improvement District Law of 1994 (commencing with Section 36600 of the California Streets and Highways Code) (the “Law”).

As the City and County of San Francisco is a “charter city” as defined by State law, Section 1510 of San Francisco’s Business and Tax Regulations Code provides authority for the City to augment the Law by authorizing the Board of Supervisors to do any of the following:

1. Reduce the percentage of petitions required from owners in order to initiate formation;
2. Have the district encompass residential property, and to assess residential property;
3. Extend the term of the district to a maximum of 15 years, or such longer term as is authorized by state law;
4. Extend the term of the district to a maximum of 40 years, if all or a portion of the assessments will be pledged or applied to pay any bond, financing lease (including certificates of participation therein), or other similar obligations of the City;
5. Recover through assessments the costs incurred in formation of the district;
6. Disestablish a district upon a supermajority vote of the Board of Supervisors; or,
7. Require a weighted two-thirds (2/3) vote of business owners to be assessed (based on ballots cast), as an alternative or additional procedure for establishing a business improvement district and levying assessments on business owners.

3.2 Establishing a Management District Plan

The Law provides the legal framework for establishing a PBID. As part of the formation proceedings, proponents prepare a Management District Plan in accordance with Section 36622 of the Law. The Management District Plan must contain, but is not limited to, the following required elements:

1. A map of the district in sufficient detail to locate each parcel of property within the district;
2. The name of the proposed district;
3. A description of the boundaries of the district, including the boundaries of any benefit zones, proposed for the establishment or extension of the district in a manner sufficient to identify the properties included. The boundaries of a proposed district shall not overlap with the boundaries of another existing district created pursuant to the Law. The Law does not prohibit the boundaries of a district created pursuant to the Law to overlap with other assessment districts established pursuant to other provisions of law including, but not limited to, the Parking and Business Improvement Area Law of 1989;
4. The improvements and activities proposed for each year of operation of the district and the maximum cost thereof;
5. The total annual amount proposed to be expended for improvements, maintenance and operations;
6. The proposed source or sources of financing, including the proposed method and basis of levying the assessment in sufficient detail to allow each property owner to calculate the amount of the assessment to be levied against his or her property;
7. The time and manner of collecting the assessments;
8. The specific number of years in which assessments will be levied. San Francisco's Business and Tax Regulations Code allows the term of the district to be extended by 15 years;
9. The proposed time for implementation and completion of the management district plan;
10. Any proposed rules and regulations to be applicable to the district;
11. A list of the properties to be assessed and a statement of the method or methods by which the expenses of a district will be imposed upon benefited real property, in proportion to the benefit received by the property, to defray the cost thereof, including operation and maintenance;
12. Any other item or matter required to be incorporated therein by the City Council.

3.3 PBID Name Designation

The name designation of this proposed PBID is the Fisherman's Wharf Landside Community Benefit District (the "Landside CBD" or "District").

3.4 Timeline for Implementation and Completion of the District

If approved, the Landside CBD assessment will be effective beginning July 1, 2020, and ending June 30, 2035. District operations will begin in January 2021 and end in December 2035.

4. DESCRIPTION OF SERVICES AND ACTIVITIES

The Landside CBD will provide for the ongoing provision of the Clean and Safe program, the Marketing and Event program, and management activities all located within the boundaries of the District.

The District will fund certain services and activities described below, which are collectively referred to as the “Services and Activities.”

4.1 Clean and Safe Program

The District will supplement certain services provided by the City, such as those services provided by the Department of Public Works, through a comprehensive Clean and Safe program that is designed to improve safety and cleanliness of sidewalks, curbs, and street fixtures within the District boundaries. By using a team of Fisherman’s Wharf CBD clean and safe staff, the Clean and Safe program is designed to strive for safe, litter-free sidewalks that are absent of graffiti and other signs of decay.

The goal is for property owners, merchants and residents alike to maintain pride in the area and to develop perceptions of cleanliness and increased safety which will contribute to an aesthetically pleasing and vibrant community. Visitors to the District should feel comfortable and secure. A key objective of the FWCBD Board of Directors is to improve the quality of life for property owners, businesses, and residents within the District, as well as to continually improve the experience of visitors by providing a safe and welcoming presence throughout the area.

4.1.1 FWCBD STAFFING PROGRAM

The FWCBD’s staffing program offers critical support to property owners, residents, merchants, and visitors in terms of cleanliness and public safety. The team of FWCBD staff not only assist visitors with directions and questions, but they also clean and remove graffiti in the District, collect litter, provide outreach to the District’s street population, and aid law enforcement in the District area.



The primary function of the FWCBD’s staff is to assist the public with information and to direct them to destinations within the District, by drawing on their extensive knowledge of local geography, District businesses, transportation systems, and other useful information. FWCBD staff serve as a welcoming and informed presence that assist the public in navigating the District.

FWCBD staff members also play an important role in promoting the District as a safe and friendly environment. The FWCBD staff are identified by their bright and colorful uniforms, which make them easily visible and recognizable, causing their presence to serve as a deterrent to misdemeanor crime. In addition, they carry hand-held radios that enable them to communicate with each other and request assistance from management if necessary. When present, the private security/10B officer carries one of these radios. The FWCBD also maintains a hotline (staffed by the FWCBD management team) that enables community members to report problems and request necessary service or actions.

FWCBD's staff members receive extensive training on the rules and procedures governing quality of life offenses and public nuisances, and work diligently to employ excellent communication procedures that enable prompt response from the SFPD when an incident occurs.

The FWCBD staffing program goals can be summarized as follows:

- Public awareness and “crime watch”-style programs to involve property owners, merchants, residents, and citizens
- Reduction of criminal activities, public intoxication, and public nuisance crimes through the persuasive efforts of the FWCBD staff and the coordinated enforcement back-up provided by SFPD
- Continuing development of relationships between FWCBD staff and the merchants of Fisherman’s Wharf, greeting them regularly and offering assistance
- Continued development of strong, supportive relationships between FWCBD staff and SFPD officers
- Ongoing assistance to the homeless by providing useful information and referral to social services

4.1.2 10B SFPD OFFICERS (OR PRIVATE SECURITY)

The District contracts with 10B SFPD or private security officers, at times, to provide a uniformed presence and provide the enforcement element of the Clean and Safe program. A 10B SFPD officer is a regular uniformed SFPD officer who is assigned directly to and paid for by the District. At times when 10B officers are not available or the FWCBD Board of Directors decides that private security may be more cost effective, the District will employ private security officers that will be a visual deterrent, will report crimes to 911 or non-emergency as needed, and advise the public as necessary on laws and rules regarding the public realm. The 10B SFPD officer, or private security officer, has a direct communication link via radio to the FWCBD staff, as well as to SFPD dispatch. The 10B SFPD officers, or private security officers, will patrol the entire District area and respond to calls from within the District boundaries when needed.

4.1.3 SERVICES COMMITTEE

The Services Committee, which is chaired by a board member and volunteer committee members, oversees the Clean and Safe staffing program and the working groups that may be developed for short-term issues. Examples of these working groups are the Safety Outreach, Transportation Improvement, and Jefferson Street Working Groups, discussed further below:

- The Safety Outreach Working Group, formerly *PIERSafe (Partners in Emergency Readiness)*, focuses on emergency preparedness planning and security in Fisherman’s Wharf. A key achievement of the group was the establishment of a comprehensive Preparedness Plan to help property owners prepare for, respond to, and recover from various emergencies, as well as prevent or mitigate future emergencies.
- The goal of the Transportation Improvement Working Group is to help mitigate traffic congestion and to improve vehicle and pedestrian safety at Fisherman’s Wharf. The working group’s initiatives have included advocating for transit service increases/route expansions and advising the District Board of Directors regarding bike and scooter share companies in the public right of way. Supporting the continued success and safe roadway operations of all tour operators within the Fisherman's Wharf Area remains a top priority. Buses and passenger loading zones are an ongoing focus of this working group as well.
- The Jefferson Street Working Group provides businesses an opportunity to voice their concerns and more effectively engage with contractors and/or the Department of Public Works to minimize disruption to their businesses and receive updates related to the Jefferson Streetscape Project.



4.1.4 SECURITY CAMERAS

The FWCBD Board of Directors will maintain and expand the District’s security camera program (24 security cameras installed in 2018). This will help to address overnight safety issues, and provide relevant information to the cleaning team or other FWCBD staff, as applicable.

4.2 Marketing and Event Program

Another vital program of the FWCBD is the Marketing and Event program, focused on improving the image of Fisherman’s Wharf through community events, communications, outreach, public relations efforts, and other marketing efforts. The Marketing and Event Program’s mission is to attract more tourists and locals to the area and increase the length of their visits to the Wharf. The FWCBD’s tourist marketing efforts, focusing on state, national, and international visitors, have been very successful. While maintaining those channels, the FWCBD will broaden its efforts to include multiple events that draw more local people to rediscover what the Wharf has to offer.

Effectiveness in forming and maintaining relationships with the community is critical to the District’s success. A strong community relations effort emphasizes the importance of positive relationships within the Fisherman’s Wharf area in an atmosphere of maximum community involvement.

4.2.1 COMMUNICATION, PUBLIC RELATIONS, AND COMMUNITY RELATIONS

The FWCBD Executive and Deputy Directors play a central communications role and spend considerable time addressing community meetings, working as problem solvers, and representing the District and its objectives for community betterment, safety, and promotion.

Regular activities and initiatives of the FWCBD include:

- Regular attendance at community and City meetings
- Participation on committees of neighborhood organizations
- Utilization of neighborhood and City social services to help problem areas
- Coordination of services among merchants and the public sector
- District website with useful and important links
- Event promotion and coordination
- Newsletter provided regularly to merchants, property owners, and members of the media
- Issuing press releases on the District’s programs and the positive results attributable to them
- Ongoing media relations

4.2.2 MARKETING

The FWCBD Board of Directors has concluded that new marketing programs that improve the District’s image, appeal, and visibility will promote increased economic activity in the District in the form of more customers and higher lease revenue. Marketing programs will promote the District and its properties and businesses through special targeted programs and initiatives.

Regular marketing activities and initiatives include:

- Maintaining an active destination website to promote Fisherman’s Wharf businesses and events
- Wayfinding and District signage
- Social media marketing
- District/area marketing
- E-newsletter to highlight Fisherman’s Wharf events and happenings
- Public space activations/events for visitors
- Networking and educational opportunities for Fisherman’s Wharf member businesses

Other marketing initiatives can be undertaken as appropriate and as budget resources allow.

4.2.3 ADVOCACY

The purpose of advocacy is to promote the District as a clean, safe, and vibrant area. This goes well beyond the marketing programs that create image and visibility and, in fact, advocate for services and resources that increase the area’s perceptions as a friendly, clean, and exciting place for dining, shopping, entertainment, and investing in business opportunities and properties. Advocacy is intended to support business growth, which can be especially advantageous when recessionary economic conditions occur.

4.2.4 STREETScape IMPROVEMENTS

Beautifying the physical landscape of the District can add tangible value and often consists of simple touches. A recent example of District beautification includes a partnership with the Port of San Francisco to create new and attractive directional signage. The new wayfinding signs bring a special District identity component, while effectively communicating state of place.

The Streetscape Improvement services and activities include, but are not limited to, the following:

- Landscaping, Activation, and Events
- Conrad Park Beautification Project
- Jefferson Street activations
- Jefferson Street Phase II improvements
 - Note: special assessments are not funding the underlying Department of Public Works and City and County of San Francisco improvements, but subsequent improvements and activation once the project is complete
- “Little Embarcadero” events
- Fisherman’s Wharf sign
 - Other signage such as wayfinding signage and District banners to effectively improve access and promote the locations of District businesses, points of interest, and amenities.

4.2.5 SPECIAL COMMUNITY EVENTS

The FWCBD regularly assists in the creation and hosting of several important community events year-round including, but not limited to:

- Fourth of July Waterfront Celebration
- Fleet Week
- Holiday Lights & Sights Campaign
- Wharf Fest
- Lighted Boat Parade

These events have come to be well-known and loved by the community and visitors of Fisherman’s Wharf. The continued creation and hosting of similar events has become a vital component of the District’s identity.



4.3 Administration and Contingency

The District will also incur costs for staff time and expenses related to managing the above programs, and related administrative costs. For example, these tasks will include oversight and coordination of both District and contractor-provided services, annual assessment roll preparation, addressing property owner questions and concerns, adherence to the Management District Plan, and compliance with audit/reporting requirements. Administration also includes efforts to work on behalf of the District to ensure City and County services and policies support the District. District funds for Administration may also be used to establish and/or renew the District. A well-managed District provides necessary oversight and guidance that produces higher quality and more efficient programs.

The assessments will also fund a contingency reserve that may be used to cover possible unforeseen future expenses and help to smooth out cash flows, which are affected by the timing of property owner payments.

4.4 Service Frequencies

The frequency for the provision of certain Services and Activities is as follows:

- Cleaners – in front of District properties two times per day between 8:00 am and 8:00 pm, with on-call services as needed
- Pressure washing – monthly, with limited on-call services as needed
- FWCBD Staff – regular District patrols with multiple passes per day and on-call services as needed
- 10B SFPD Officer/Private Security – 8 hours per day, 5 days per week

5. ANNUAL AMOUNT TO BE COLLECTED AND EXPENDED

The budget for the first operating year of the Landside CBD (January 1, 2021 through December 31, 2021) is as follows:

Description	Fiscal Year 2020/21 Budget
Clean and Safe Program	\$600,337.53
Marketing and Events Program	349,960.00
Contingency/Reserve Allocation	121,140.00
Total Operating Costs	\$1,071,437.53
Administration Costs ¹	269,200.00
Total Operating and Administration Costs	\$1,340,637.53

(1) Includes costs of the FWCBD staff, administration, and County Auditor/Controller fees.

The 2020/21 operating budget will be funded as follows:

Description of Revenue Source	Fiscal Year 2020/21 Revenue
Assessment Revenue	\$1,218,907.64
Contributions for General Benefit (9.08% of Operating Costs) 1	121,729.89
Total Annual Revenue	\$1,340,637.53

(1) Comprised of additional funds generated from sources other than assessments. Refer to the Engineer's Report for an explanation of General Benefit. The General Benefit percentage only applies to the Total Operating Costs and not the Administration Costs, as noted in the Engineer's Report.

Each fiscal year, beginning with Fiscal Year 2021/2022, the maximum allowable assessment rate per Special Benefit Point may be increased by the greater of (i) five-percent (5%) or (ii) the change in the Consumer Price Index for All Urban Consumers (CPI-U) for the San Francisco-Oakland-Hayward area for February. In no event shall the maximum assessment rates decrease. If, in the future, the Bureau of Labor Statistics discontinues or alters the CPI-U, the City (OEWD) shall select a comparable index as a replacement.

Based upon a maximum possible annual assessment increase of 5.0%, beginning July 1, 2021, the total annual maximum assessment revenue for each of the 15-years of the Landside CBD's proposed renewed term is described in the table on the following page.

In any given year, the assessments may be levied at any rate sufficient to meet the estimated budget, as long as the actual rates do not exceed the maximum allowable assessment rates for that year.

The total annual maximum assessment revenue generated throughout the proposed renewed term of the Landside CBD is as follows:

Fiscal Year	Total Maximum Annual Assessment Revenue ¹	Fiscal Year	Total Maximum Annual Assessment Revenue ¹
2020/2021	\$1,218,905.88	2028/2029	1,800,879.13
2021/2022	1,279,851.17	2029/2030	1,890,923.08
2022/2023	1,343,843.73	2030/2031	1,985,469.24
2023/2024	1,411,035.92	2031/2032	2,084,742.70
2024/2025	1,481,587.72	2032/2033	2,188,979.84
2025/2026	1,555,667.10	2033/2034	2,298,428.83
2026/2027	1,633,450.46	2034/2035	2,413,350.27
2027/2028	1,715,122.98	Total:	\$26,302,238.04

(1) Based upon assigned Special Benefit Points for FY 2020/2021. Property characteristics may change from year-to-year, which can affect the calculation of Special Benefit Points in future years. If the total Special Benefit Points increase in future years due to development, land use classification changes, etc., the maximum assessment revenue may increase accordingly. The Total Maximum Annual Assessment Revenue noted in the table above is escalated based upon the calculated Fiscal Year 2020/21 assessment amount, including installment rounding.

6. METHOD OF ASSESSMENT

6.1 Source(s) of Funding

The levy and collection of annual assessments upon property within the Landside CBD provides the primary funding source for the services and activities previously outlined. The FWCBD will also generate additional funds from sources other than annual assessments on properties within the Landside CBD. These funds may include City contributions, fundraising, grants, and donations.

The Landside CBD will not issue bonds to finance any of the services and activities.

6.2 Basis of Assessment

The assessments will be levied in proportion to the special benefits that the parcels within the Landside CBD receive from the services and activities provided by the FWCBD.

6.3 Special Benefit Point Assignment

To calculate each parcel's proportionate share of the special benefits, it is necessary assign each parcel what are referred to as special benefit points. This is accomplished by taking into account the physical various characteristics of each parcel, as well as each parcel's land use type.

The special benefits derived from the Landside CBD services and activities are improved aesthetics, increased safety, and increased economic activity. It was determined that linear street frontage, lot square footage, building square footage, and land use are the most appropriate property characteristics for use in this calculation. As such, each parcel's linear street frontage, lot square footage, building square footage, and land use were used as the primary assessment variables for the assignment of parcel factors.

Parcels of the same land use type will experience different degrees of special benefit in relation to differences in their lot size, building size, and linear frontage. A parcel with a large building for example will experience greater special benefit than a parcel with a small building. Accordingly, as lot size, building size, and linear frontage increase, parcels are considered to receive proportionately greater special benefit. Therefore, these parcel characteristics are also appropriate factors for determining proportional special benefit.

In order to relate differing parcel characteristics to one another, a relative factor is determined for each. To calculate each of the three relative factors, each parcel's actual square footage or front footage values were divided by the average of those values for each parcel in the District boundary. Based upon the different service levels that the District will provide, the weighting of these factors is adjusted to reflect a 70%/30% split between the Frontage Factor and Lot/Building Factors. Lot and Building Factors are assigned equal weight of the 30% allocation.

6.4 Assignment of Benefit Points for Each Property Land Use

The assessment calculations also vary based on land use types, since the same services may benefit parcels differently based on how the parcels are used. For example, a commercial parcel may derive greater benefit from certain activities than a publicly owned parcel. The assignment of benefit points is based on the fact that

each of the three Landside CBD programs provide certain benefits, apportioned as described in the Engineer’s Report prepared for the Landside CBD.

The table below summarizes the Land Use Benefit Points assigned to the various assessable land use types within the District:

Land Use Type	Aesthetic Benefit Points	Safety Benefit Points	Economic Benefit Points	Total Land Use Benefit Points
Non-Residential Property	1.00	1.00	2.00	4.00
Apartment Property	1.00	1.00	1.00	3.00
Condominium Property	1.00	1.00	0.00	2.00
Public Property	1.00	1.00	0.00	2.00

By adjusting the assigned benefit points for each property land use type by other factors, a more complete picture of the proportional special benefits received by each parcel within the Landside CBD is presented. Therefore, lot factors, building factors, and frontage factors were calculated and assigned for each parcel in the Landside CBD.

6.4.1 TOTAL SPECIAL BENEFIT POINTS

The calculation of Total Benefit Points for each parcel takes into account the Lot, Building, and Frontage Factors described above, and land use. The formula for determining each parcel’s Total Special Benefit Points is as follows:

$$\left(\text{Lot Factor} + \text{Building Factor} + \text{Frontage Factor} \right) \times \text{Land Use Benefit Points} = \text{Total Special Benefit Points}$$

The Total Special Benefit Points are computed for each parcel in the proposed District and summed. The Total District Special Benefit Points are 4,798.77. These Total District Special Benefit Points are used to determine the proposed assessment amounts on each parcel. The Total District Special Benefit Points may change in the future due to development, redevelopment, or changes in property land uses.

6.5 Assessment Calculation

The assessment per Special Benefit Point is calculated by dividing the total costs to be assessed by the total Special Benefit Points assigned to the parcels within the Landside CBD. The following formula provides the assessment per Special Benefit Point calculation:

$$\text{Total Costs to be Assessed} / \text{Total Special Benefit Points} = \text{Assessment Rate per Special Benefit Point}$$

$$\$1,218,907.64 / 4,798.77 = \$254.00440$$

The Special Benefit Points have been calculated in relation to the total costs to be assessed. No assessment will be imposed on any parcel that exceeds the reasonable cost of the proportional special benefit conferred on the parcel.

In the first fiscal year, a parcel's assessment = \$254.00440 x Parcel's Total Special Benefit Points

6.6 Number of Years Assessments will be Levied

The proposed term for the Landside CBD is 15 years. The assessment will be effective July 1, 2020, through June 30, 2035 (Fiscal Year 2020/21 through Fiscal Year 2034/35). Expenditure of collected assessments may continue for up to six months after June 30, 2035, if the District is not renewed. In order to authorize the levy and collection of assessments after Fiscal Year 2034/35, the City and FWCBD will need to go through the renewal process pursuant to the Law.

6.7 Time and Manner of Collecting Assessments

Each property owner pays a share of the cost of the Landside CBD services and activities, based on the formula described above and in the Engineer's Report. The payment is collected through the annual City and County of San Francisco property tax bill. The Landside CBD assessment, including any delinquent assessment and related interest and penalties, will be received by the Tax Collector of the City and County of San Francisco. The City shall then transfer the assessment revenues to the Landside CBD for the funding of the services and activities described in this Management District Plan. Any assessment on a property that does not receive a property tax bill from the City and County of San Francisco will be billed-directly by the City.

6.8 Appeals Process

The FWCBD, or its designee, may assist with the resolution of any discrepancies in individual assessment amounts or calculations. The FWCBD reserves the right to:

- Conduct reviews of existing primary data; verify assessment data as compiled by any consultant, subcontractor or other party hired by the FWCBD; and perform field or on-site inspections to verify the accuracy of existing or secondary data, or to investigate the claim of any property owner in the Landside CBD.
- Recalculate the assessment amount due and direct the City Auditor-Controller to respond appropriately.

Upon the request of the City, the FWCBD shall promptly complete requests for an investigation of discrepancies and make all reasonable efforts to obtain additional documentation related to the assessment upon any or all of the properties for which a correction or adjustment is requested.

6.9 Assessor's Parcel Listing

Appendix B of this Management District Plan provides a listing of all of the Assessor's Parcels within the Landside CBD, including property addresses, Special Benefit Points, and Fiscal Year 2020/21 assessment amounts.

7. DISTRICT MANAGEMENT

7.1 Fisherman’s Wharf Community Benefit District

The FWCBD is a 501(C)(3) non-profit organization whose Board of Directors membership consists of the parcel owners assessed under the Landside CBD, and is the “designated non-profit entity” as outlined in Section 36614.5 of the Law. The FWCBD will administer the Landside CBD through an agreement with the City.

The FWCBD is charged with the day-to-day operations of the Landside CBD and also jointly administers the separately-formed Portside CBD.

7.2 Annual Report by the FWCBD

The FWCBD will select members to serve on the FWCBD Board of Directors. Board membership is designed to equitably represent all stakeholders and areas of the Landside CBD. The Board of Directors structure represents residential property owners, as well as commercial property owners of various sizes.

The FWCBD Board of Directors shall annually make a recommendation on the expenditure of revenues derived from the levy of assessments, on the classification of properties applicable, and on the method and basis of levying the assessments.

Each year, the FWCBD Board of Directors shall prepare a report for each fiscal year, except the first year, for which assessments are levied and collected to pay the costs of the services and activities described in the report. Each annual report must be filed with the Clerk of the Board of Supervisors, per Section 36650(b) of the Law; each report shall contain all of the following information:

1. any proposed changes in the Landside CBD boundaries or any benefit zones or any classification of property within the District;
2. the improvements and activities to be provided for that fiscal year;
3. an estimate of the cost of providing the improvements and the activities for that fiscal year;
4. the method and basis of levying the assessment in sufficient detail to allow each real property owner, as appropriate, to estimate the amount of the assessment to be levied against his or her property for that fiscal year;
5. the amount of any surplus or deficit revenues to be carried over from a previous fiscal year; and
6. the amount of any contributions to be made from sources other than assessments levied.

7.3 Public Access

The FWCBD Board of Directors is required to comply with specified state open meeting and public records laws, the Ralph M. Brown Act (the “Brown Act”), commencing with Section 54950 of the Government Code, and the California Public Records Act, commencing with Section 6250 of the Government Code, and Section 12L of San Francisco’s Administrative Code. Brown Act compliance is required when Landside CBD business is heard, discussed, or deliberated, and the California Public Records Act compliance is required for all documents relating to Landside CBD business.

7.4 Rules and Regulations

Pursuant to the Law, the FWCBD Board of Directors may establish rules and regulations that uniquely apply to the Landside CBD. A few initial rules and regulations should be employed in the administration of the Landside CBD:

- Following the initial formation of the Landside CBD, the FWCBD Board of Directors developed a policy for competitive bidding as it pertains to contracted services for the Landside CBD. The policy's aim is to maximize service quality, efficiency, and cost effectiveness.
- Any stakeholder who serves on the FWCBD Board of Directors shall recuse themselves from any vote in which a potential conflict of interest is apparent. Such potential conflicts include, but are not limited to: prioritizing services and/or activities that result in a special benefit to specific property owners, prioritization of services to benefit a particular owner or group of owners, hiring or selecting the relatives of FWCBD Board members.
- As previously noted, meetings of the FWCBD Board of Directors shall be open to all stakeholders paying into the Landside CBD and are subject to the Brown Act. Regular financial reports shall be submitted to FWCBD Board members and made available upon request by the membership. Subcommittee meetings of the FWCBD shall be open and encourage participation among various stakeholders, property owners, business owners, and community members. The FWCBD Board of Directors shall retain the right to enter into executive session for reasons including, but not limited to: legal matters, personnel issues, etc.
- The FWCBD Board of Directors will create a number of policies that will help the Board effectively manage the Landside CBD. Such policies may include, but not be limited to: a decision-making policy, use of banner policy, special event underwriters policy, use of logo policy, and an economic hardship policy.

7.5 Dissolution

The Landside CBD, when there is no indebtedness, outstanding and unpaid, incurred to accomplish any of the purposes of the Landside CBD, may be disestablished by resolution by the Board of Supervisors in either of the following circumstance:

1. If the Board of Supervisors finds there has been misappropriation of funds, malfeasance, or a violation of law in connection with the management of the Landside CBD, it shall notice a hearing on disestablishment.
2. During the operation of the Landside CBD, there shall be a 30-day period each year in which assessed property owners may request disestablishment of the Landside CBD. The first such period shall begin one year after the date of establishment of the Landside CBD and shall continue for a 30-day period. The next such 30-day period shall begin two years after the date of the establishment of the Landside CBD. Each successive year of operation of the Landside CBD shall have such a 30-day period. Upon the written petition of the owners of real property in the area who pay more than 30 percent of the assessments levied, the Board of Supervisors shall notice a hearing on disestablishment.

The Board of Supervisors shall adopt a resolution of intention to disestablish the Landside CBD prior to the public hearing. The resolution shall state the reason for the disestablishment, shall state the time and place of the public hearing, and shall contain a proposal to dispose of any assets acquired with the revenues of the assessments levied within the Landside CBD. The public hearing shall be held not less than 30-days or more than 60-days after the adoption of the resolution of intention.

Upon the disestablishment of the Landside CBD, any remaining revenues derived from the levy of assessments, or any revenues derived from the sale of assets acquired with the revenues, shall be refunded to the owners of the property then located and operating within the Landside CBD in which assessments were levied by applying the same method and basis that was used to calculate the assessments levied in the fiscal year in which the District was disestablished. If the disestablishment occurs before an assessment is levied for the fiscal year, the method and basis that was used to calculate the assessment levied in the immediate prior fiscal year shall be used to calculate the amount of refund.

APPENDIX A: LANDSIDE CBD BOUNDARY MAP

The following pages contain the Boundary Map for the Landside CBD.

APPENDIX B: ASSESSOR'S PARCEL LISTING

The following pages contain the Fiscal Year 2020/21 assessment roll for the Landside CBD.

APPENDIX C: ENGINEER'S REPORT

The following pages contain a copy of the Engineer's Report prepared associated with the renewal of the Landside CBD.