

1 [Top of Broadway Community Benefit District - Annual Report - FY2016-2017]

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

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9 WHEREAS, On June 4, 2013, pursuant to the Property and Business Improvement
10 District Law of 1994 (the “Act”), California Streets and Highways Code, Sections 36600 *et*
11 *seq.*, as augmented by Article 15 of the San Francisco Business and Tax Regulations Code,
12 the Board of Supervisors adopted Resolution No. 165-13, expressing the City’s intention to
13 establish the Top of Broadway Community Benefit District (the “Top of Broadway CBD”); and

14 WHEREAS, On July 23, 2013, the Board of Supervisors adopted Resolution
15 No. 263-13 establishing the Top of Broadway CBD (“Resolution to Establish”) for a period of
16 eight years, commencing FY2013-2014; and

17 WHEREAS, On February 25, 2014, the Board of Supervisors adopted Resolution
18 No. 52-14, authorizing an agreement with the owners’ association for the
19 administration/management of the Top of Broadway CBD, and a management agreement (the
20 “Management Contract”) with the owners’ association, the Top of Broadway Community
21 Benefit District, Inc., was executed accordingly; and

22 WHEREAS, A copy of the Management Contract is on file with the Clerk of the Board
23 of Supervisors in File No. 140100; and

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1 WHEREAS, On September 9, 2017, the Board of Supervisors approved the Top of
2 Broadway CBD’s annual report for FY2015-2016 in Resolution No. 331-17; and

3 WHEREAS, The Top of Broadway CBD has submitted for the Board’s receipt and
4 approval the Top of Broadway annual report for FY2016-2017 (“the Annual Report”) as
5 required by Section 36650 of the Act and Section 3.4 of the Management Contract; and

6 WHEREAS, The Annual Report is on file with the Clerk of the Board of Supervisors in
7 File No. 180430, and is incorporated herein by reference as though fully set forth; and

8 WHEREAS, Supporting documents, including, but not limited to, a transmittal letter and
9 memorandum report from the City’s Office of Economic and Workforce Development, dated
10 April 17, 2018, and documentation from the Top of Broadway CBD for the Annual Report is on
11 file with the Clerk of the Board of Supervisors in File No. 180430; now, therefore, be it

12 RESOLVED, That the Board of Supervisors hereby receives and approves the annual
13 report for the Top of Broadway Community Benefit District for FY2016-2017.