



NOTICE OF PUBLIC HEARING AND ASSESSMENT BALLOT PROCEEDING

TO: «BUSINESS_NAME»
 «BUSINESS_LOCATION_Site_Address» «BUSINESS_LOCATION_Street_»
 «BUSINESS_REGISTRATION_CERTIFICATE_NAME»
 «BUSINESS_OWNER_NAME»
 «Business_Count»

FROM: John Arntz, Director
 Department of Elections
 City and County of San Francisco

SUBJECT: Notice of Public Hearing and Assessment Ballot Proceeding to Consider
 Renewing the Fisherman's Wharf Portside Community Benefit District (CBD)

The purpose of this notice is to provide you with information about an assessment ballot proceeding and public hearing being conducted by the Board of Supervisors, and its effect on a business that you own. This notice is being sent to you in accordance with Resolution No. ___ - ___, passed by the Board of Supervisors (a copy of which is enclosed), and the Property and Business Improvement District Law of 1994 (California Streets and Highways Code §§36600 *et seq.*).

Please be advised of the following:

- The Board of Supervisors will hold a public hearing on the proposed assessment at 3:00 p.m. on November 17, 2020 or as soon thereafter as the matter may be heard, in the Board's Legislative Chambers, Second Floor, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, California, 94102. In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made a part of the official public record in this matter, and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, San Francisco Board of Supervisors, Room 244, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, California, 94102.
- At this hearing, the Board will hear testimony regarding the proposed assessment. The reason for the assessment is to fund certain services in the business-based improvement district (community benefit district) to be known as the "Fisherman's Wharf Portside Community Benefit District". Your business is located in the District and would be subject to assessment. The assessment would last for 15 years (July 1, 2020 – June 30, 2035) and would fund services that would be implemented through December 31, 2035. The boundaries of Fisherman's Wharf Portside Community Benefit District are described in the enclosed Resolution passed by the Board of Supervisors.



- The Fisherman’s Wharf Portside Community Benefit District will fund the following services:
 - 1) Clean and Safe Program
 - 2) Marketing and Event Program
 - 3) Contingency/Reserve Allocation
 - 4) Administration Costs

- Examples of services to be funded under the budget category “Clean and Safe Program” include: sidewalk cleaning, sidewalk pressure washing, trash collection, graffiti removal and abatement, security patrol, and emergency preparedness.

- Examples of services to be funded under the budget category “Marketing and Event Program” include: community events, communications, outreach, public relations efforts, wayfinding, and destination marketing.

- Examples of services to be funded under the budget category “Contingency/Reserves Allocation” include: having funds to cover possible unforeseen future expenses and help smooth out cash flow, which is affected by the timing of assessment disbursements

- Examples of services to be funded under the budget category “Administration” include: a professional staff to properly manage programs, communicate with stakeholders, to provide leadership, and represent the community with one clear voice. Also included are office expenses, professional services, organizational expenses such as insurance, the cost to conduct a yearly financial review, and other services related to organizational activities.

- The total amount chargeable to the entire assessment district in the first year (2020-21) would be \$275,000. The proposed fiscal year 2020-2021 assessment for your business is «Voter_Proportional».
 - The proposed assessment for your business has been calculated based on the business type, gross sales, and other factors, as set forth below:

Business Type or Gross Sales Tier	Assessment Rate	Rate Basis
\$0 - \$15,000,000 in Annual Gross Sales	\$0.00185	Per Dollar of Gross Sales (1) (2)
Annual Gross Sales in Excess of \$15,000,000	\$0.00085	Per Dollar of Gross Sales (1) (2)
Non-Profit	\$0.00120	Per Dollar of Gross Sales (2)
Pier 39 Master Tenant	\$41,437.76	Flat Annual Rate
Tours/Charters - Small Vessel (1-49 Occupants)	\$287.50	Per Vessel



Tours/Charters - Medium Vessel (50-99 Occupants)	\$1,150.00	Per Vessel
Tours/Charters - Large Vessel (100+ Occupants) (3) (4)	\$2,300.00	Per Vessel
Tours – Other (Land-Based)	\$575.00	Per Operator ⁽⁵⁾

- (1) Restaurant/Food and Beverage businesses, Retail businesses, and for-profit Parking Lots will be assessed according to the tiered assessment rates above, based upon total amount of annual gross sales.
- (2) The assessment rate will be applied per dollar of annual gross sales, as reported to the Port of San Francisco in the preceding calendar year.
- (3) Applies only to vessels that meet the criteria noted in the table above and do not generate more than one million passengers per year.
- (4) Large vessels generating more than one million passengers per year are subject to the tiered rates listed above that are applicable to Restaurant/Food and Beverage businesses, Retail businesses, and for-profit Parking Lots, based upon annual gross sales.
- (5) The assessment rate is applied per pedicab company or per horse-drawn carriage operator. As the charger applies per company or per operator, a given pedicab company may operate multiple pedicabs or a horse-drawn carriage operator may operate multiple carriages.

- After fiscal year 2020-21, the assessments would be subject to adjustment each year. For businesses whose annual assessments are calculated based on a gross sales assessment formula, the amount may increase or decrease annually according to their reported gross sales. For all other businesses including the Pier 39 Master Tenant, the assessments may be increased by up to the Bay Area Consumer Price Index (CPI) for all urban consumers for the month of February or 5%, whichever is greater.
- The duration of the assessment district and the authority to levy assessments on your business would be fifteen (15) years. The assessments would be collected through a special billing sent annually by the City's Treasurer/Tax Collector to each affected holder of a City business registration certificate (business license). The first assessment would be for fiscal year 2001-2021, and the final assessment would be for fiscal year 2034-2035.

ASSESSMENT BALLOT PROCEDURES

Enclosed with this notice, you will find an assessment ballot. Please follow the directions on the assessment ballot to express your view on the proposed assessment. The following is a summary of the procedures governing the return and tabulation of ballots. More detailed information concerning the ballot procedures is set forth in the enclosed “Procedures for the Completion, Return and Tabulation of Ballots,” which is also available on the City’s website at www.sfelections.org.



1. You may mail or deliver your ballot to the Director of Elections at the Post Office Box location shown on the ballot, or submit the ballot in person at the Department of Elections, located at City Hall Room 48.
2. Ballots may be sent or delivered to the Director of Elections at any time, but **MUST** be received by the Director of Elections not later than the conclusion of the public input portion of the public hearing on November 17, 2020 in the Board's Legislative Chambers, Second Floor, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, California, 94102, scheduled to commence at 3 p.m. or as soon thereafter as the matter may be heard. Depending on the nature and extent of public testimony, the public input portion of the hearing may not be concluded on that date, but may instead be continued to a later date. At any time prior to the conclusion of the public input portion of the hearing, you may withdraw your ballot and submit a new or changed ballot in place of the ballot previously submitted. If the public input portion of the hearing is continued to a later date, the deadline for submission of ballots will likewise be extended until the close of public input on that date.
3. The Director of Elections will pick up mailed ballots at 12 o'clock noon from the designated Department of Elections Post Office box on the date scheduled for the public hearing. To ensure that mailed ballots are received by the Director of Elections prior to the conclusion of the public input portion of the hearing, mailed ballots must be received by the Director of Elections by 12 o'clock noon on November 17, 2020. Mailed ballots received after 12 o'clock noon on the date scheduled for the public hearing will only be counted if the public input portion of the hearing is continued to a later date and the ballots are received by the Director of Elections prior to the conclusion of the public input portion of the hearing.
4. Only ballots with original signatures - not photocopies of signatures - will be accepted.
5. The Director of Elections will not accept or tabulate a ballot:
 - which is a photocopy without an original signature;
 - which is unsigned;
 - which lacks an identifiable "yes" or "no" vote; or
 - which appears to have been tampered with based upon its appearance or method of delivery.
6. The assessment ballot shall be treated as a disclosable public record during and after the tabulation of the assessment ballots.
7. At the conclusion of the public input portion of the public hearing, the Director of Elections will tabulate the ballots, including those received during the public input portion of the public hearing. If the number of ballots received at the hearing is such that it is not feasible to accurately tabulate the ballots that day, the Board of Supervisors may continue the meeting to a later date for the purpose of obtaining the final tabulation.



8. The Board of Supervisors will not impose the assessment if there is a majority protest. A majority protest exists if, upon the conclusion of the hearing, ballots submitted in opposition to the assessment exceed the ballots submitted in favor of the assessment. Ballots shall be weighted according to the proposed financial obligation of the affected business.

Should you have any questions, please call or write to: Mr. Cuong Quach, Department of Elections, Room 48, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, California, 94102. Telephone: (415) 554-4342.