

1 [Annual Reports - Fisherman's Wharf Community Benefit District, and Fisherman's Wharf
2 Portside Community Benefit District]

3 **Resolution approving Annual Reports to the City for Fisherman's Wharf**
4 **Community Benefit District, and for Fisherman's Wharf Portside Community**
5 **Benefit District: receiving and approving the Districts' Annual Reports for Fiscal**
6 **Years 2006-2007, 2007-2008, and 2008-2009, as submitted pursuant to Section**
7 **36650 of the Business Property and Community Benefit Act of 1994 (California**
8 **Streets and Highways Code §§36600 *et seq.*) and Section 3.4 of the Districts'**
9 **management contracts with the City.**

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

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

18
19 **Fisherman's Wharf Community Benefit District**

20 WHEREAS, on June 7, 2005, pursuant to the Property and Community Benefit
21 Law of 1994, California Streets and Highways Code Sections 36600 *et seq.* (the "Act"),
22 as augmented by Article 15 of the San Francisco Business and Tax Regulations Code
23 ("Article 15"), the Board of Supervisors adopted Resolution No. 386-05 "Resolution of
24 Intention to Form the Fisherman's Wharf Community Benefit District" ("Resolution of
25 Intention"); and

1 WHEREAS, on July 26, 2005 the Board of Supervisors adopted Resolution
2 No. 540-05 "Resolution to Establish the Fisherman's Wharf Community Benefit District"
3 ("Resolution to Establish") for a period of 15 years commencing with fiscal year 2005-
4 2006; and

5 WHEREAS, on January 10, 2006 the Board of Supervisors adopted Resolution
6 No. 16-06 "Contract with Owners' Association for Administration of Fisherman's Wharf
7 Community Benefit District" with the owners' non-profit association also known as the
8 Fisherman's Wharf Association; and

9 WHEREAS, the Fisherman's Wharf Community Benefit District Annual Report for
10 2005-2006 was previously approved by the Board of Supervisors in Resolution
11 No. 345-07; and

12
13 **Fisherman's Wharf Portside Community Benefit District**

14 WHEREAS, on October 24, 2006, pursuant to the Property and Community
15 Benefit Law of 1994, California Streets and Highways Code Sections 36600 *et seq.* (the
16 "Act"), as augmented by Article 15 of the San Francisco Business and Tax Regulations
17 Code ("Article 15"), the Board of Supervisors adopted Resolution No. 586-06
18 "Resolution of Intention to Form the Fisherman's Wharf Portside Community Benefit
19 District" ("Resolution of Intention"); and,

20 WHEREAS, on December 12, 2006 the Board of Supervisors adopted Resolution
21 No. 696-06 "Resolution to Establish the Fisherman's Wharf Portside Community Benefit
22 District" ("Resolution to Establish") for a period of 14 years commencing with fiscal year
23 2005-2006; and

24 WHEREAS, on June 19, 2007 the Board of Supervisors adopted Resolution
25 No. 312-07 "Contract with Owners' Association for Administration of Fisherman's Wharf

1 Portside Community Benefit District" with the owners' non-profit association also known
2 as the Fisherman's Wharf Association; now, therefore, be it

3
4 RESOLVED, that the Board of Supervisors declares as follows:

5 **Section 1. RECEIPT AND APPROVAL OF ANNUAL REPORTS TO THE**
6 **CITY, FOR THE FISHERMAN'S WHARF COMMUNITY BENEFIT DISTRICT AND THE**
7 **FISHERMAN'S WHARF PORTSIDE COMMUNITY BENEFIT DISTRICT.**

8 The Board hereby receives and approves the Annual Reports for Fisherman's
9 Wharf Community Benefit District and Fisherman's Wharf Portside Community Benefit
10 District, for Fiscal Years 2006-2007, 2007-2008, and 2008-2009.

11 Supporting documents for these annual reports are on file with the Clerk of the
12 Board of Supervisors in File No. 101358, and include a transmittal letter and
13 memorandum report from the City's Office of Economic and Workforce Development
14 dated October 1, 2010, and documentation from the Fisherman's Wharf Association.

15 These annual reports are submitted pursuant to Section 36650 of the Business
16 Property and Community Benefit Act of 1994 (California Streets and Highways Code
17 §§36600 *et seq.*), and pursuant to Section 3.4 of the Districts' management contracts
18 with the City (*i.e.*, Section 3.4 of the City's agreements/contracts with the nonprofit
19 property owners' association Fisherman's Wharf Association for management and
20 administration of Fisherman's Wharf Community Benefit District and Fisherman's Wharf
21 Portside Community Benefit District), which are on file with the Clerk of the Board of
22 Supervisors in File No. 052026 (re Resolution No. 16-06) and File No. 070838 (re
23 Resolution No. 312-07).