BOARD of SUPERVISORS

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M E M O R A N D U M

TO: Kate Sofis, Director, Office of Economic and Workforce Development

FROM: Jessica Perkinson, Assistant Clerk, Government Audit and Oversight Committee, Board of Supervisors

DATE: July 27, 2022

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Government Audit and Oversight Committee has received the following proposed legislation, introduced by Supervisor Aaron Peskin on July 19, 2022:

File No. 220863

Resolution receiving and approving the annual report for the Fisherman's Wharf Community Benefit District and Fisherman's Wharf Portside Community Benefit District for Fiscal Year (FY) 2020-2021, 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 additional 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 or by email at: Jessica.Perkinson@sfgov.org.

cc: J'Wel Vaughan, Office of Economic and Workforce Development
Anne Taupier, Office of Economic and Workforce Development
Lisa Pagan, Office of Economic and Workforce Development

[Fisherman's Wharf Landside Community Benefit District and Fisherman's Wharf Portside Community Benefit District - Annual Report - FY2020-2021]

Resolution receiving and approving the annual report for the Fisherman's Wharf Community Benefit District and Fisherman's Wharf Portside Community Benefit District for Fiscal Year (FY) 2020-2021, 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.

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

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

Fisherman's Wharf Community Benefit District

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

WHEREAS, On July 26, 2005, the Board of Supervisors adopted Resolution

No. 540-05 establishing the Fisherman Wharf's CBD for a period of 15 years commencing with fiscal year 2005-2006; and

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

Fisherman's Wharf Portside Community Benefit District

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

WHEREAS, On December 12, 2006, the Board of Supervisors adopted Resolution No. 696-06 establishing the Fisherman's Wharf Portside CBD for a period of 14 years commencing with fiscal year 2005-2006; and

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

Annual Reports

WHEREAS, On November 2, 2021, the Board of Supervisors approved the Fisherman's Wharf CBD's and the Fisherman's Wharf Portside CBD's annual report for

fiscal year 2019-2020 in Resolution No. 515-21; and

WHEREAS, The Fisherman's Wharf Association has submitted for the Board's receipt and approval an annual report for both the Fisherman's Wharf CBD and Fisherman's Wharf Portside CBD for fiscal year 2020-2021 as required by Section 36650 of the Act and Section 3.4 of the Fisherman's Wharf Management Contract and the Fisherman's Wharf Portside Management Contract (the "Annual Report"), which is on file with the Clerk of the Board of Supervisors in File No. 220863 and is incorporated herein by reference as though fully set forth; and

WHEREAS, Supporting documents, including, but not limited to, a transmittal letter and memorandum report from the City's Office of Economic and Workforce Development, dated July 13, 2022, and documentation from the Fisherman's Wharf Association for the Annual Report is on file with the Clerk of the Board of Supervisors in File No. 220863; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby receives and approves the annual report for the Fisherman's Wharf Community Benefit District and Fisherman's Wharf Portside Community Benefit District for fiscal year 2020-2021.

Print Form

Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- [x] 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- [ ] 2. Request for next printed agenda Without Reference to Committee.
- [ ] 3. Request for hearing on a subject matter at Committee.
- [ ] 4. Request for letter beginning :"Supervisor _____ inquiries"
- [ ] 5. City Attorney Request.
- [ ] 6. Call File No. _____ from Committee.
- [ ] 7. Budget Analyst request (attached written motion).
- [ ] 8. Substitute Legislation File No. _____
- [ ] 9. Reactivate File No. _____
- [ ] 10. Topic submitted for Mayoral Appearance before the BOS on _____

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- [ ] Small Business Commission
- [ ] Youth Commission
- [ ] Ethics Commission
- [ ] Planning Commission
- [ ] Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Supervisor Peskin

Subject:

[Fisherman's Wharf Landside Community Benefit District and Fisherman's Wharf Portside Community Benefit District – Annual Report for FY 2020-2021]

The text is listed:

Resolution receiving and approving the annual report for the Fisherman's Wharf Community Benefit District and Fisherman's Wharf Portside Community Benefit District for fiscal year 2020-2021, 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.

Signature of Sponsoring Supervisor: //AP//

For Clerk's Use Only