

1 [Fisherman's Wharf and Fisherman's Wharf Portside Community Benefit Districts - Annual
2 Reports to the City - FYs 2009-2013]

3 **Resolution receiving and approving annual reports for the Fisherman's Wharf**
4 **Community Benefit District and Fisherman's Wharf Portside Community Benefit**
5 **District for FYs 2009-2013, submitted as required by the Property and Business**
6 **Improvement District Law of 1994, Section 36650 (California Streets and**
7 **Highways Code, Sections 36600, et seq.), and the Districts' management**
8 **contracts with the City.**

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

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

17 WHEREAS, On June 7, 2005, in accordance with the Property and Business
18 Improvement District Law of 1994, California Streets and Highways Code, Sections
19 36600 *et seq.* (the "Act"), as augmented by Article 15 of the San Francisco Business
20 and Tax Regulations Code ("Article 15"), the Board of Supervisors adopted Resolution
21 No. 386-05, "Resolution of Intention to Form the Fisherman's Wharf Community Benefit
22 District," expressing the City's intent to form the Fisherman's Wharf CBD, which is on
23 file with the Clerk of the Board of Supervisors in File No. 050878; and

24 WHEREAS, On July 26, 2005, the Board of Supervisors adopted Resolution
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1 No. 540-05, "Resolution to Establish the Fisherman's Wharf Community Benefit District,"
2 establishing the CBD for a period of 15 years commencing with FY2005-2006, which is
3 on file with the Clerk of the Board of Supervisors in File No. 051184; and

4 WHEREAS, On January 10, 2006, the Board of Supervisors adopted Resolution
5 No. 16-06, "Contract with Owners' Association for Administration of Fisherman's Wharf
6 Community Benefit District," with the Fisherman's Wharf Association, approving a
7 contract with the Fisherman's Wharf Association for the management and
8 administration of the CBD (the Fisherman's Wharf Management Contract") which is on
9 file with the Clerk of the Board of Supervisors in File No. 052026; and

10 WHEREAS, In 2007 the Board of Supervisors approved the Fisherman's Wharf
11 CBD's annual report for 2005-2006 in Resolution No. 345-07, which is on file with the
12 Clerk of the Board of Supervisors in File No. 070734; and

13 WHEREAS, On October 24, 2006, in accordance with the Act, as augmented by
14 Article 15, the Board of Supervisors adopted Resolution No. 586-06, "Resolution of
15 Intention to Form the Fisherman's Wharf Portside Community Benefit District,"
16 expressing the City's intent to form the Fisherman's Wharf Portside CBD, which is on
17 file with the Clerk of the Board of Supervisors in File No. 061419; and

18 WHEREAS, On December 12, 2006, the Board of Supervisors adopted
19 Resolution No. 696-06, "Resolution to Establish the Fisherman's Wharf Portside
20 Community Benefit District," establishing the CBD for a period of 14 years commencing
21 with FY2005-2006, which is on file with the Clerk of the Board of Supervisors in File No.
22 061660; and

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

1 approving a contract with the Fisherman's Wharf Association for the management and
2 administration of the CBD (the "Fisherman's Wharf Portside Management Contract")
3 which is on file with the Clerk of the Board of Supervisors in File No. 070838; and

4 WHEREAS, In 2011 the Board of Supervisors approved the Fisherman's Wharf
5 CBD's and the Fisherman's Wharf Portside CBD's annual reports for FYs 2006-2007,
6 2007-2008, and 2008-2009 in Resolution No. 15-11, on file with the Clerk of the Board
7 of Supervisors in File No. 101358; and

8 WHEREAS, The Fisherman's Wharf Association has submitted for the Board's
9 receipt and approval annual reports for Fisherman's Wharf CBD and Fisherman's Wharf
10 Portside CBD for FYs 2009-2010, 2010-2011, 2011-2012, and 2012-2013 (collectively,
11 the "Annual Reports") as required by Section 36650 of the Act and Section 3.4 of the
12 Fisherman's Wharf Management Contract and the Fisherman's Wharf Portside
13 Management Contract; and

14 WHEREAS, The Annual Reports are on file with the Clerk of the Board of
15 Supervisors in File No. 141041, and are incorporated herein by reference as though
16 fully set forth; and

17 WHEREAS, Supporting documents, including, but not limited to, a transmittal
18 letter and memorandum report from the City's Office of Economic and Workforce
19 Development, dated October 3, 2014, and documentation from the Fisherman's Wharf
20 Association for the Annual Reports are on file with the Clerk of the Board of Supervisors
21 in File No. 141041; and

22 WHEREAS, The Planning Department has determined that the actions contemplated in
23 this Resolution comply with the California Environmental Quality Act (California Public
24 Resources Code, Sections 21000 *et seq.*); said determination is on file with the Clerk of the
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1 Board of Supervisors in File No. 141041, and is incorporated herein by reference; now,
2 therefore, be it

3 RESOLVED, That the Board of Supervisors hereby receives and approves the
4 annual reports for the Fisherman's Wharf Community Benefit District and Fisherman's
5 Wharf Portside Community Benefit District for FYs 2009-2010, 2010-2011, 2011-2012,
6 and 2012-2013.

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City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 141041

Date Passed: November 04, 2014

Resolution receiving and approving annual reports for the Fisherman's Wharf Community Benefit District and Fisherman's Wharf Portside Community Benefit District for FYs 2009-2013, submitted as required by the Property and Business Improvement District Law of 1994, Section 36650 (California Streets and Highways Code, Sections 36600, et seq.), and the Districts' management contracts with the City.

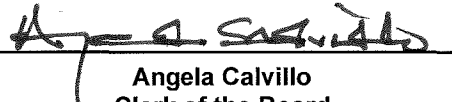
October 23, 2014 Government Audit and Oversight Committee - RECOMMENDED

November 04, 2014 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 141041

I hereby certify that the foregoing Resolution was ADOPTED on 11/4/2014 by the Board of Supervisors of the City and County of San Francisco.


Angela Calvillo
Clerk of the Board


Mayor


Date Approved