

BOARD of SUPERVISORS



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## MEMORANDUM

TO: Ben Rosenfield, City Controller, Office of the Controller  
Todd Rufo, Office of Economic and Workforce Development

FROM: Erica Major, Assistant Committee Clerk, Government Audit and Oversight  
Committee, Board of Supervisors

DATE: March 9, 2015

SUBJECT: LEGISLATION INTRODUCED

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The Board of Supervisors' Government Audit and Oversight Committee has received the following proposed legislation, introduced by Supervisor Christensen on March 3, 2015:

**File No. 150226**

**Resolution receiving and approving the annual report for the Fisherman's Wharf Community Benefit District and Fisherman's Wharf Portside Community Benefit District for FY2013-2014, 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.

C:  
Todd Rydstrom, Office of the Controller  
Crezia Tano, Office of Economic and Workforce Development

1 [Fisherman's Wharf and Fisherman's Wharf Portside Community Benefit Districts - Annual  
2 Report for FY2013-2014]

3 **Resolution receiving and approving the annual report for the Fisherman's Wharf**  
4 **Community Benefit District and Fisherman's Wharf Portside Community Benefit District**  
5 **for FY2013-2014, submitted as required by the Property and Business Improvement**  
6 **District Law of 1994 (California Streets and Highways Code, Sections, 36600, *et seq.*),**  
7 **Section 36650, and the Districts' Management Agreements with the City, Section 3.4.**

8  
9 WHEREAS, The Fisherman's Wharf Community Benefit District (the Fisherman's  
10 Wharf CBD) was established by the Board of Supervisors in 2005, and the Fisherman's  
11 Wharf Portside Community Benefit District (the Fisherman's Wharf CBD) was  
12 established by the Board of Supervisors in 2006, as described below; and

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

16 WHEREAS, On June 7, 2005, in accordance with the Property and Business  
17 Improvement District Law of 1994, California Streets and Highways Code Sections  
18 36600 *et seq.* (the Act), as augmented by Article 15 of the San Francisco Business and  
19 Tax Regulations Code (Article 15), the Board of Supervisors adopted Resolution No.  
20 386-05 expressing the City's intent to form the Fisherman's Wharf CBD; and

21 WHEREAS, On July 26, 2005, the Board of Supervisors adopted Resolution  
22 No. 540-05 establishing the Fisherman Wharf's CBD for a period of 15 years  
23 commencing with fiscal year 2005-2006; and

24 WHEREAS, On January 10, 2006, the Board of Supervisors adopted Resolution  
25 No. 16-06 authorizing a contract with the Fisherman's Wharf Association for the

1 management and administration of the Fisherman's Wharf CBD (the Fisherman's Wharf  
2 Management Contract) which is on file with the Clerk of the Board of Supervisors in File  
3 No. 052026; and

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

7 WHEREAS, On December 12, 2006, the Board of Supervisors adopted  
8 Resolution No. 696-06 establishing the Fisherman's Wharf Portside CBD for a period of  
9 14 years commencing with fiscal year 2005-2006; and

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

16 WHEREAS, In November 2014, the Board of Supervisors approved the  
17 Fisherman's Wharf CBD's and the Fisherman's Wharf Portside CBD's annual reports for  
18 FYs 2009-2010, 2010-2011, 2011-2012, and 2012-2013 in Resolution No. 412-14; and

19 WHEREAS, The Fisherman's Wharf Association has submitted for the Board's  
20 receipt and approval of an annual report for both the Fisherman's Wharf CBD and  
21 Fisherman's Wharf Portside CBD for FY2013-2014 as required by Section 36650 of the  
22 Act and Section 3.4 of the Fisherman's Wharf Management Contract and the  
23 Fisherman's Wharf Portside Management Contract (the Annual Report); and  
24  
25

1           WHEREAS, The Annual Report is on file with the Clerk of the Board of  
2 Supervisors in File No. 150226, and is incorporated herein by reference as though fully  
3 set forth; and

4           WHEREAS, Supporting documents, including, but not limited to, a transmittal  
5 letter and memorandum report from the City's Office of Economic and Workforce  
6 Development, dated February 26, 2015, and documentation from the Fisherman's  
7 Wharf Association for the Annual Report is on file with the Clerk of the Board of  
8 Supervisors in File No.150226; now, therefore, be it

9           RESOLVED, That the Board of Supervisors hereby receives and approves the annual  
10 report for the Fisherman's Wharf Community Benefit District and Fisherman's Wharf Portside  
11 Community Benefit District for FY2013-2014.