

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Regina Dick-Endrizzi, Director
Small Business Commission, City Hall, Room 448

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

DATE: March 9, 2015

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS
Government Audit and Oversight Committee

The Board of Supervisors' Government Audit and Oversight Committee has received the following legislation, which is being referred to the Small Business Commission for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

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.

Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

RESPONSE FROM SMALL BUSINESS COMMISSION - Date: _____

_____ **No Comment**

_____ **Recommendation Attached**

Chairperson, Small Business Commission

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.