

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: February 4, 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. 150090

Resolution receiving and approving annual reports for the Castro/Upper Market Community Benefit District for FYs 2009-2013, 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 District's Management Agreement 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 [Castro/Upper Market Community Benefit District - FYs 2009-2013 Annual Reports to the City]

2
3 **Resolution receiving and approving annual reports for the Castro/Upper Market**
4 **Community Benefit District for FYs 2009-2013, submitted as required by the Property**
5 **and Business Improvement District Law of 1994 (California Streets and Highways**
6 **Code, Sections 36600, et seq.), Section 36650, and the District's Management**
7 **Agreement with the City, Section 3.4.**

8
9 WHEREAS, On June 7, 2005, pursuant to the Property and Business Improvement
10 District Law of 1994 (the Act), California Streets and Highways Code, Sections 36600, *et seq.*,
11 as augmented by Article 15 of the San Francisco Business and Tax Regulations Code, the
12 Board of Supervisors adopted Resolution No. 421-05, expressing the City's intention to
13 establish the Castro/Upper Market Community Benefit District (Castro/Upper Market CBD);
14 and

15 WHEREAS, On August 2, 2005, the Board of Supervisors adopted Resolution
16 No. 582-05 establishing the Castro/Upper Market CBD (Resolution to Establish) for a period
17 of 15 years, commencing FY2005-2006; and

18 WHEREAS, On January 10, 2006, the Board of Supervisors adopted Resolution
19 No. 14-06, authorizing an agreement with the owners' association for the
20 administration/management of the Castro/Upper Market CBD, and a management agreement
21 (Management Contract) with the owners' association, the Castro/Upper Market Community
22 Benefit District, was executed accordingly; and

23 WHEREAS, A copy of the Management Contract is on file with the Clerk of the Board
24 of Supervisors in File No. 051968; and

1 WHEREAS, On January 4, 2011, the Board of Supervisors approved the Castro/Upper
2 Market CBD's annual reports for FYs 2006-2007, 2007-2008, 2008-2009 in
3 Resolution No. 16-11; and

4 WHEREAS, The Castro/Upper Market CBD has submitted for the Board's receipt and
5 approval the Castro/Upper Market annual reports for FYs 2009-2010, 2010-2011, 2011-2012,
6 and 2012-2013 (collectively, Annual Reports) as required by Section 36650 of the Act and
7 Section 3.4 of the Management Contract; and

8 WHEREAS, The Annual Reports are on file with the Clerk of the Board of Supervisors
9 in File No. 150090, and are incorporated herein by reference as though fully set forth; and

10 WHEREAS, Supporting documents, including, but not limited to, a transmittal letter and
11 memorandum report from the City's Office of Economic and Workforce Development, dated
12 January 23, 2015, and documentation from the Castro/Upper Market CBD for the Annual
13 Reports are on file with the Clerk of the Board of Supervisors in File No. 150090; now,
14 therefore, be it

15 RESOLVED, That the Board of Supervisors hereby receives and approves the annual
16 reports for the Castro/Upper Market Community Benefit District for FYs 2009-2010, 2010-
17 2011, 2011-2012, and 2012-2013.

18
19 n:\egana\as2015\1500504\00986079.doc
20
21
22
23
24
25