

File No. 110435

Committee Item No. 9  
Board Item No. \_\_\_\_\_

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Rules

Date 5/5/11

Board of Supervisors Meeting

Date \_\_\_\_\_

#### Cmte Board

- |                                     |                          |  |
|-------------------------------------|--------------------------|--|
| <input type="checkbox"/>            | <input type="checkbox"/> | Motion                                       |
| <input type="checkbox"/>            | <input type="checkbox"/> | Resolution                                   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Ordinance                                    |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Budget Analyst Report                        |
| <input type="checkbox"/>            | <input type="checkbox"/> | Legislative Analyst Report                   |
| <input type="checkbox"/>            | <input type="checkbox"/> | Youth Commission Report                      |
| <input type="checkbox"/>            | <input type="checkbox"/> | Introduction Form (for hearings)             |
| <input type="checkbox"/>            | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/> | MOU  |
| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/> | Public Correspondence                        |

#### OTHER

(Use back side if additional space is needed)

<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____

Completed by: Linda Wong

Date 5/2/11

Completed by: \_\_\_\_\_

Date \_\_\_\_\_

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

1 [Business and Tax Regulations Code – Establish a Citizen's Advisory Committee for the  
2 Central Market Street and Tenderloin Area]

3 **Ordinance amending Article 12-A of the San Francisco Business and Tax Regulations**  
4 **Code by adding Section 906.3-1 to establish a Citizen's Advisory Committee for the**  
5 **Central Market Street and Tenderloin Area.**

6 NOTE: Additions are single-underline italics Times New Roman;  
7 deletions are ~~strike-through italics Times New Roman~~.  
8 Board amendment additions are double-underlined;  
9 Board amendment deletions are ~~striketrough normal~~.

9 Be it ordained by the People of the City and County of San Francisco:

10 Section 1. Findings. The Board of Supervisors hereby finds that:

11 (a) In April 2011, the Board of Supervisors approved the Central Market Street and  
12 Tenderloin Area Payroll Expense Tax Exclusion.

13 (b) Under the Central Market Street and Tenderloin Area Payroll Expense Tax  
14 Exclusion, a person with an annual payroll expense of more than \$1,000,000 must enter into a  
15 Community Benefits Agreement with the City Administrator in order to be eligible to claim the  
16 exclusion.

17 (c) Residents of the Central Market Street and Tenderloin Area have a unique  
18 understanding of the needs and issues of their community.

19 (d) Residents of the Central Market Street and Tenderloin Area are aware of the  
20 resources their community can provide to taxpayers wishing to claim the Central Market  
21 Street and Tenderloin Area Payroll Expense Tax Exclusion.

22 (e) Residents of the Central Market Street and Tenderloin Area are cognizant of  
23 how development as a result of the Central Market Street and Tenderloin Area Payroll  
24 Expense Tax Exclusion may affect their community and have ideas on ways to mitigate its  
25 potentially unwanted effects.

Supervisor Kim  
BOARD OF SUPERVISORS

1 (e) Residents of the Central Market Street and Tenderloin Area can provide useful  
2 advise to the Mayor, City Administrator and Board of Supervisors on the administration of the  
3 Central Market Street and Tenderloin Area Payroll Expense Tax Exclusion.

4  
5 Section 2. The San Francisco Business and Tax Regulations Code is hereby amended  
6 by adding Section 906.3-1, to read as follows:

7 **SEC. 906.3-1. CENTRAL MARKET STREET AND TENDERLOIN AREA CITIZEN'S**  
8 **ADVISORY COMMITTEE.**

9 (a) There shall be a Central Market Street and Tenderloin Area Citizen's Advisory  
10 Committee.

11 (b) The Citizen's Advisory Committee shall be an advisory body whose purpose is to make  
12 recommendations to the Mayor and Board of Supervisors on policies and programs that mitigate the  
13 negative effects of development and seek to stabilize and protect existing tenants and small businesses  
14 in and around the Central Market Street and Tenderloin Area.

15 (c) Duties of the Citizen's Advisory Committee may include:

16 (1) Advise the Mayor, City Administrator, and Office of Economic and Workforce  
17 Development of community issues in order to better align the Community Benefits Agreements called  
18 for under the Central Market Street and Tenderloin Area Payroll Expense Tax Exclusion with the  
19 community needs.

20 (2) Make recommendations to the Mayor, City Administrator, and Office of  
21 Economic and Workforce Development about terms and conditions in the Community Benefits  
22 Agreements called for under the Central Market Street and Tenderloin Area Payroll Expense Tax  
23 Exclusion.

1                   (3)     Advise the Mayor and City Administrator on the creation of a community  
2 development fund that may support workforce development, community infrastructure and programs to  
3 mitigate potential displacement of small business and tenants.

4                   (4)     Help facilitate partnerships between persons claiming the Central Market Street  
5 and Tenderloin Area Payroll Expense Tax Exclusion and community organizations, local schools and  
6 small businesses.

7                   (5)     Hold public hearings regarding Community Benefits Agreements prior to their  
8 execution by the City Administrator.

9                   (6)     Establish a regular Citizen's Advisory Committee meeting schedule, which shall  
10 consist of no less than six meetings per year.

11                (d)     The Citizen's Advisory Committee shall be composed of seven members:

12                   (1)     One member representing low-income families who lives with his or her family  
13 in the Central Market Street and Tenderloin Area or adjacent area;

14                   (2)     One member who has expertise in employment development and or represents  
15 labor;

16                   (3)     One member who is a senior or disabled resident of the Central Market Street  
17 and Tenderloin Area or adjacent area;

18                   (4)     One member who has expertise in affordable housing or tenant protection and  
19 anti-displacement policies and strategies, and has familiarity with the Central Market Street and  
20 Tenderloin Area;

21                   (5)     One member who represents a community-based organization or provides direct  
22 services to the Central Market Street and Tenderloin Area or adjacent area;

23                   (6)     One member who has small business expertise and familiarity with the Central  
24 Market Street and Tenderloin Area; and

1           (7)    One member with expertise on homelessness, transitional age youth, or  
2 supportive housing and familiarity with the Central Market Street and Tenderloin Area.

3           (e)    Each member shall be nominated by the District Six Supervisor.

4           (f)    Each member shall be confirmed by the Board of Supervisors.

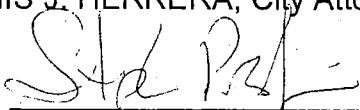
5           (g)    The members of the Citizen's Advisory Committee shall be appointed for a term of four  
6 years; provided, however, that members first appointed shall, by lot at the first meeting, classify their  
7 terms so that three shall serve for a term of two years and four shall serve for a term of four years. At  
8 the initial meeting of the Citizen's Advisory Committee and yearly thereafter, the Citizen's Advisory  
9 Committee members shall select such officer or officers as deemed necessary by the Citizen's Advisory  
10 Committee. The Citizen's Advisory Committee shall promulgate such rules and regulations as are  
11 necessary for the conduct of its business under this Section. In the event a vacancy occurs, a successor  
12 shall be appointed to fill the vacancy consistent with the process and requirements to appoint the  
13 previous appointee. When a vacancy occurs for a reason other than the expiration of a term of office,  
14 the appointee to fill such vacancy shall hold office for the unexpired term of his or her predecessor.  
15 Any appointee who misses four meetings within a twelve-month period, without the approval of the  
16 Citizen's Advisory Committee, shall be deemed to have resigned.

17          (h)    The Citizen's Advisory Committee shall comply with all applicable public records and  
18 meetings laws and shall be subject to the Conflict of Interest provisions of the City's Charter and  
19 Administrative Code. The initial meeting of the Citizen's Advisory Committee shall be called within 30  
20 days from the day the Board of Supervisors confirms its initial appointments. The City Administrator  
21 shall provide administrative support to the Citizen's Advisory Committee.

22          (i)    The provisions of this ordinance and the operation of the Citizen's Advisory Committee  
23 shall expire upon expiration of the Central Market Street and Tenderloin Area Payroll Expense Tax  
24 Exclusion under Section 906.3 of this Article.

1 APPROVED AS TO FORM:  
2 DENNIS J. HERRERA, City Attorney

3 By:



4 STEPHANIE PROFFITT  
5 Deputy City Attorney  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Supervisor Kim  
**BOARD OF SUPERVISORS**

## **LEGISLATIVE DIGEST**

[Business and Tax Regulations Code – Establish a Citizen's Advisory Committee for the Central Market Street and Tenderloin Area]

**Ordinance amending Article 12-A of the San Francisco Business and Tax Regulations Code by adding Section 906.3-1 to establish a Citizen's Advisory Committee for the Central Market Street and Tenderloin Area.**

### **Existing Law**

Article 12-A of the San Francisco Business and Tax Regulations Code provides for a payroll expense tax exclusion for persons maintaining a fixed place of business in the Central Market Street and Tenderloin Area. Any person with an annual payroll expense of more than \$1,000,000 must enter into a Community Benefits Agreement with the City Administrator in order to be eligible to claim the exclusion.

### **Amendments to Current Law**

The proposed ordinance amends Section 906.3 of Article 12-A to establish a Citizen's Advisory Committee for the Central Market Street and Tenderloin Area. This committee shall consist of seven members, all nominated by the supervisor for District Six and confirmed by the Board of Supervisors. The committee members shall be residents of the Central Market Street and Tenderloin Area. The committee shall advise the Mayor, City Administrator and Board of Supervisors about issues confronting the community and terms the community would like included in Community Benefits Agreements.

### **Background Information**

The Citizen's Advisory Committee will provide advise to the Mayor, City Administrator and Board of Supervisors about the issues and needs confronting the Central Market Street and Tenderloin Area community. It will also convey to the Mayor, City Administrator and Board of Supervisors terms that the community would like included in the Community Benefits Agreements mandated under the Central Market Street and Tenderloin Area Payroll Expense Tax Exclusion.

