

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

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

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

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

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

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

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

16 (c) Residents of and small business owners within the Central Market Street and  
17 Tenderloin Area have a unique understanding of the needs and issues of their community.

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

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

1           (e)(f) Residents of and small business owners within the Central Market Street and  
2 Tenderloin Area can provide useful ~~advice~~advice to the Mayor, City Administrator and Board  
3 of Supervisors on the administration of the Central Market Street and Tenderloin Area Payroll  
4 Expense Tax Exclusion.

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

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

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

12           (b) The Citizen's Advisory Committee shall be an advisory body whose purpose is to make  
13 recommendations to the Mayor, ~~and~~ Board of Supervisors and City Administrator on policies and  
14 programs that mitigate the ~~negative~~ effects of development, bolster economic development, local  
15 employment, and community sustainability and seek to stabilize and protect existing tenants,  
16 community based organizations and small businesses in and around the Central Market Street and  
17 Tenderloin Area.

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

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

23           (2) Make recommendations to the ~~Mayor, City Administrator, and Office of~~  
24 ~~Economic and Workforce Development~~ about terms and conditions in the Community Benefits

1 Agreements called for under the Central Market Street and Tenderloin Area Payroll Expense Tax  
2 Exclusion.

3 (3) Provide a report every six months to the Board of Supervisors regarding  
4 the implementation and execution of the Community Benefit Agreements called for under the  
5 Central Market Street and Tenderloin Area Payroll Expense Tax Exclusion.

6 (4) Make recommendations to the Board of Supervisors and the Office of  
7 Economic and Workforce Development on policies, initiatives, and programs that bolster  
8 economic development, local employment, and community sustainability and seek to stabilize  
9 and protect existing tenants, community based organizations and small businesses in and  
10 around the Central Market Street and Tenderloin Area.

11 (3)(5) Advise the Mayor, Board of Supervisors and City Administrator on the  
12 creation of a community development fund that may support workforce development, community  
13 infrastructure and programs to mitigate potential displacement of small businesses, community  
14 based organizations and tenants.

15 (4)(6) Help facilitate partnerships between persons claiming the Central Market Street  
16 and Tenderloin Area Payroll Expense Tax Exclusion and community organizations, local schools and  
17 small businesses.

18 (5)(7) Hold public hearings regarding Community Benefits Agreements within four  
19 weeks from the time the parties to any such Agreements reach a consensus on the terms to  
20 be included therein and prior to their the execution of any Community Benefit Agreement by the  
21 City Administrator. The City Administrator may, at his or her sole discretion, extend this time in  
22 order to combine hearings and utilize staff time more efficiently.

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

1                   (8)     The City Administrator shall convene the Citizen's Advisory Committee no  
2 less than four times yearly.

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

4                   (1)     One member representing low-income families who lives with his or her family  
5 in the Central Market Street and Tenderloin Area or ~~a~~Adjacent ~~a~~Area;

6                   (2)     ~~One~~Two members who ~~has~~have expertise in ~~employment~~job creation and or  
7 workforce development, including one member who represents labor;

8                   (3)     One member who is a senior or disabled resident of the Central Market Street  
9 and Tenderloin Area or ~~a~~Adjacent ~~a~~Area;

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

13                  (5)     One member who represents a community-based organization or provides direct  
14 services to the Central Market Street and Tenderloin Area or ~~a~~Adjacent ~~a~~Area;

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

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

20                  (8)     One member with expertise in commercial real estate and leasing within  
21 the Central Market Street and Tenderloin Area.

22                  (9)     Two members who are residents of the Central Market Street and  
23 Tenderloin Area or Adjacent Area.

1           (e)     Each member shall be nominated by the District Six Supervisor who may consult with  
2 other San Francisco City officials such as the Mayor's Office of Disability for Seat 3, the  
3 Mayor's Office of Housing for Seat 4, or the Small Business Commission for Seat 6.

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

5           (g)     For purposes of this Section, "Adjacent Area" shall mean the area in District 6,  
6 bounded on the southern side by 13th Street and Townsend Street.

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

19           ~~(h)~~(i) The Citizen's Advisory Committee shall comply with all applicable public records and  
20 meetings laws and shall be subject to the Conflict of Interest provisions of the City's Charter and  
21 Administrative Code. Specifically, during the twelve months prior to and during a member's  
22 tenure on the Citizen's Advisory Committee, no member of the Citizen's Advisory Committee  
23 may receive any gift, income or have any investment in any entity that foreseeably may be  
24 subject to or be the beneficiary of any Community Benefit Agreement reviewed by the  
25 Citizen's Advisory Committee. For purposes of this Section, "income", "gift" and "investment"

1 shall have the same meanings as defined in the Political Reform Act of 1974 under California  
2 Government Code Section 81000 et seq. *The initial meeting of the Citizen's Advisory Committee*  
3 *shall be called within 30 days from the day the Board of Supervisors confirms its initial appointments.*  
4 *The City Administrator shall provide administrative support to the Citizen's Advisory Committee.*  
5 (i)(j) *The provisions of this ordinance and the operation of the Citizen's Advisory Committee*  
6 *shall expire upon expiration of the Central Market Street and Tenderloin Area Payroll Expense Tax*  
7 *Exclusion under Section 906.3 of this Article.*

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9 APPROVED AS TO FORM:  
10 DENNIS J. HERRERA, City Attorney

11 By: \_\_\_\_\_  
12 STEPHANIE PROFITT  
13 Deputy City Attorney  
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