

BOARD of SUPERVISORS



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## MEMORANDUM

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

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

DATE: December 8, 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 Wiener on December 1, 2015:

**File No. 151237**

**Resolution receiving and approving an annual report for the Castro/Upper Market 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 District's Management Agreement with the City, Section 3.4.**

If you have 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 or by email at: [erica.major@sfgov.org](mailto:erica.major@sfgov.org).

c: Ken Rich, Office of Economic and Workforce Development  
Lisa Pagan, Office of Economic and Workforce Development  
Todd Rydstrom, Office of the Controller

1 [Castro/Upper Market Community Benefit District - FY2013-2014 Annual Report to the City]

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3 **Resolution receiving and approving an annual report for the Castro/Upper Market**  
4 **Community Benefit District for FY2013-2014, submitted as required by the Property and**  
5 **Business Improvement District Law of 1994 (California Streets and Highways Code,**  
6 **Sections 36600, et seq.), Section 36650, and the District’s management agreement with**  
7 **the City, Section 3.4.**

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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  
11 seq., as augmented by Article 15 of the San Francisco Business and Tax Regulations Code,  
12 the Board of Supervisors adopted Resolution No. 421-05, expressing the City’s intention to  
13 establish the Castro/Upper Market Community Benefit District (the “Castro/Upper Market  
14 CBD”); 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 administration and  
20 management of the Castro/Upper Market CBD, and a management agreement (the  
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 March 5, 2015, the Board of Supervisors approved the Castro/Upper  
2 Market CBD's annual reports for FYs 2009-2010, 2010-2011, 2011-2012, 2012-2013 in  
3 Resolution No. 63-15; and

4           WHEREAS, The Castro/Upper Market CBD has submitted for the Board's receipt and  
5 approval the Castro/Upper Market annual report for FY2013-2014 ("the Annual Report") as  
6 required by Section 36650 of the Act and Section 3.4 of the Management Contract; and

7           WHEREAS, The Annual Report is on file with the Clerk of the Board of Supervisors in  
8 File No. 151237, and is incorporated herein by reference as though fully set forth; and

9           WHEREAS, Supporting documents, including, but not limited to, a transmittal letter and  
10 memorandum report from the City's Office of Economic and Workforce Development, dated  
11 November 9, 2015, and documentation from the Castro/Upper Market CBD for the Annual  
12 Report is on file with the Clerk of the Board of Supervisors in File No. 151237; now, therefore,  
13 be it

14           RESOLVED, That the Board of Supervisors hereby receives and approves the annual  
15 report for the Castro/Upper Market Community Benefit District for FY2013-2014.  
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