

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

3 **Ordinance amending the San Francisco Business and Tax Regulations Code, Article**
4 **12-A, 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 ~~strikethrough-normal~~.

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

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

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

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

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

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

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

1 (e)(f) Residents of and small business owners within the Central Market Street and
2 Tenderloin Area can provide useful adviseadvice 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.

5
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
25

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 aAdjacent aArea;

6 (2) OneTwo members who hashave expertise in employmentjob 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 aAdjacent aArea;

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 aAdjacent aArea;

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.

24 (e) The Rules Committee of the Board of Supervisors shall nominate Eeach
25 Citizen's Advisory Committee member shall be nominated by the District Six Supervisor who

1 may consult with other San Francisco City officials such as the Mayor's Office of Disability for
2 Seat 3, the Mayor's Office of Housing for Seat 4, or the Small Business Commission for Seat
3 6.

4 (f) The appointment of Eeach member nominee shall be confirmed by the full Board of
5 Supervisors.

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

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

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

1 Citizen's Advisory Committee. For purposes of this Section, "income", "gift" and "investment"
2 shall have the same meanings as defined in the Political Reform Act of 1974 under California
3 Government Code Section 81000 et seq. The initial meeting of the Citizen's Advisory Committee
4 shall be called within 30 days from the day the Board of Supervisors confirms its initial appointments.
5 The City Administrator shall provide administrative support to the Citizen's Advisory Committee.

6 (+)(j) The provisions of this ordinance and the operation of the Citizen's Advisory Committee
7 shall expire upon expiration of the Central Market Street and Tenderloin Area Payroll Expense Tax
8 Exclusion under Section 906.3 of this Article.

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

12 By:

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14 STEPHANIE PROFIT
15 Deputy City Attorney
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City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 110435

Date Passed: June 14, 2011

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

May 05, 2011 Rules Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

May 05, 2011 Rules Committee - CONTINUED AS AMENDED

May 19, 2011 Rules Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

May 19, 2011 Rules Committee - RECOMMENDED AS AMENDED

June 07, 2011 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi and Wiener

June 14, 2011 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi and Wiener

File No. 110435

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 6/14/2011 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor Edwin Lee

Date Approved