

1 [Settlement of Lawsuit]

2 **Ordinance authorizing settlement of administrative writ petition filed by**
3 **the City and County of San Francisco challenging the Assessment**
4 **Appeals Board's Property Tax Assessment for the Giants' baseball park**
5 **at China Basin for the 2001/02, 2002/03 and 2003/04 tax years contingent**
6 **upon approval of roll values by the Assessment Appeals Board and**
7 **payment of an amount that reflects the reduced roll values, including**
8 **interest; City filed its writ petition on January 19, 2006 in San Francisco**
9 **Superior Court, entitled City and County of San Francisco v.**
10 **Assessment Appeals Board No. 1, Case No. 506010.**

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

12 Section 1. Findings:

13 (1) China Basin Ballpark Company ("CBBC") holds a long term lease
14 for the land and improvements for the San Francisco Giants' ballpark at China
15 Basin;

16 (2) The City's Assessment Appeals Board heard CBBC's
17 administrative appeal of the Assessor's enrolled value for the 2001/02,
18 2002/03 and 2003/04 tax years, deciding that the value of the ballpark was
19 \$230 million for 2001/02; \$240 million for 2002/03; and \$236 million for
20 2003/04;

21 (3) On January 19, 2006, the City and County of San Francisco filed an
22 administrative writ petition in San Francisco Superior Court challenging the
23 Assessment Appeals Board's valuation, entitled City and County of San
24 Francisco v. Assessment Appeals Board No. 1, Case No. 506010; and

25 (4) After private mediation, the City reached a proposed settlement
with CBBC, including an agreed property tax valuation of the ballpark for the

FILE NO.

ORDINANCE NO.

1 2001/02, 2002/03 and 2003/04 tax years; the parties' agreed valuation is
2 \$274.8 million for 2001/02; \$268.9 million for 2002/03 and \$262.6 million for
3 2003/04.

4 Section 2. The Board of Supervisors authorizes the San Francisco
5 City Attorney's Office to settle its property tax dispute with CBBC according to
6 the terms set forth herein.

7 Section 3. The Board of Supervisors of the City and County of San
8 Francisco, contingent upon approval of roll values by the Assessment Appeals
9 Board, hereby authorizes the Controller of the City and County of San
10 Francisco to issue tax refunds in an amount that reflect the reduced roll
11 values, including interest, to CBBC pursuant to the terms of the proposed
12 settlement.

13 APPROVED AS TO FORM AND
14 RECOMMENDED:

15 DENNIS J. HERRERA
16 City Attorney

17 
18 JULIE VAN NOSTERN
19 Chief Tax Deputy

20 FUNDS AVAILABLE:

21 
22
23 EDWARD HARRINGTON
24 Controller

25



City and County of San Francisco

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

Tails Ordinance

File Number: 060973

Date Passed:

Ordinance authorizing settlement of administrative writ petition filed by the City and County of San Francisco challenging the Assessment Appeals Board's Property Tax Assessment for the Giants' baseball park at China Basin for the 2001/02, 2002/03 and 2003/04 tax years contingent upon approval of roll values by the Assessment Appeals Board and payment of an amount that reflects the reduced roll values, including interest; City filed its writ petition on January 19, 2006 in San Francisco Superior Court, entitled City and County of San Francisco v. Assessment Appeals Board No. 1, Case No. 506010.

September 26, 2006 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick,
Mirkarimi, Peskin, Sandoval
Excused: 1 - Alioto-Pier

October 3, 2006 Board of Supervisors — FINALLY PASSED


Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

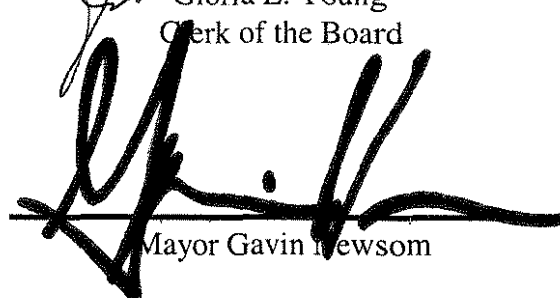
File No. 060973

I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on October 3, 2006
by the Board of Supervisors of the City and
County of San Francisco.

10/11/2006

Date Approved


Gloria L. Young
Clerk of the Board


Mayor Gavin Newsom