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.

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

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

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

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

(b) Under the Central Market Street and Tenderloin Area Payroll Expense Tax Exclusion, a 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.

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

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

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

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Residents of and small business owners within the Central Market Street and Tenderloin Area can provide useful advice to the Mayor, City Administrator and Board of Supervisors on the administration of the Central Market Street and Tenderloin Area Payroll Expense Tax Exclusion.

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

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

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

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

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

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

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

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

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

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

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

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

(6) Establish a regular Citizen’s Advisory Committee meeting schedule, which shall consist of no less than six meetings per year.
The City Administrator shall convene the Citizen's Advisory Committee no less than four times yearly.

The Citizen's Advisory Committee shall be composed of eleven members:

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

2. Two members who have expertise in employment job creation and or workforce development, including one member who represents labor;

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

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

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

6. One member who has small business expertise and familiarity with the Central Market Street and Tenderloin Area;

7. One member with expertise on homelessness, transitional age youth, or supportive housing and familiarity with the Central Market Street and Tenderloin Area or the adjacent area.

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

9. Two members who are residents of the Central Market Street and Tenderloin Area or adjacent area.

(e) The Rules Committee of the Board of Supervisors shall nominate each Citizen's Advisory Committee member shall be nominated by the District Six Supervisor who
may consult with other San Francisco City officials such as the Mayor's Office of Disability for Seat 3, the Mayor's Office of Housing for Seat 4, or the Small Business Commission for Seat 6.

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

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

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

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

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Citizen's Advisory Committee. For purposes of this Section, "income", "gift" and "investment" shall have the same meanings as defined in the Political Reform Act of 1974 under California Government Code Section 81000 et seq. The initial meeting of the Citizen's Advisory Committee shall be called within 30 days from the day the Board of Supervisors confirms its initial appointments. The City Administrator shall provide administrative support to the Citizen's Advisory Committee. The provisions of this ordinance and the operation of the Citizen's Advisory Committee shall expire upon expiration of the Central Market Street and Tenderloin Area Payroll Expense Tax Exclusion under Section 906.3 of this Article.

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

By:
STEPHANIE PROFFITT
Deputy City Attorney
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

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 6/20/11