

**JOURNAL OF PROCEEDINGS**  
**CITY AND COUNTY OF SAN FRANCISCO**  
**ASSESSMENT APPEALS BOARD**

In the meeting of Assessment Appeals Board Number 1 for the City and County of San Francisco on Monday, June 27, 2016, at 9:30 a.m.

Present: Jeffrey Morris, Diane Robinson and Scott Spertzel

Quorum present

Chairperson: Jeffrey Morris, Presiding

Certified Court Reporter Kim Schroeder

Public Comment: At 9:32 a.m. the Board heard public comment submitted by Shawn Mooney that was read by the Clerk, a summary of which is attached.

The below listed applicant for change in the assessed valuation of property affecting various years of the assessment roll being present, the Board continued hearing cross examination of Mr. Lowe and Mr. Barrett by the Assessor.

At the hour of 10:20 a.m. the Board went into closed session to hear cross examination of Mr. Lowe and Mr. Barrett involving confidential trade secret information. The Board reconvened in open session at 12:07 p.m. and took certain action, as specified under this date, on the original of the respective applications:

<u>Appeal No.</u>	<u>Name</u>	<u>Disposition</u>
2014-1130	China Basin Ballpark Co.	Continued to 1:30 p.m.
2014-1753	China Basin Ballpark Co.	Same as above
2014-1754	China Basin Ballpark Co.	Same as above
2014-1755	China Basin Ballpark Co.	Same as above

**RECESS**

The Board recessed at the hour of 12:10 p.m. to reconvene at 1:30 p.m.

**RECONVENING OF THE BOARD**

The Assessment Appeals Board reconvened at 1:30 p.m.

Present: Jeffrey Morris, Diane Robinson and Scott Spertzel

Quorum present

Chairperson: Jeffrey Morris, Presiding

Certified Court Reporter Kim Schroeder

With the same parties present from the morning session, the Board continued hearing cross examination of Mr. Lowe and Mr. Barrett by the Assessor.

At the hour of 2:55 p.m. the Board went into closed session to hear cross examination of Mr. Barrett by the Assessor involving confidential trade secret information. The Board reconvened in open session at 2:58 p.m. and continued hearing cross examination of Mr. Lowe and Mr. Barrett by the Assessor.

The Board then heard redirect testimony and evidence from Mr. Lowe and Mr. Barrett on behalf of the Applicant, after which the Board took certain action, as specified under this date, on the original of the respective applications:

<u>Appeal No.</u>	<u>Name</u>	<u>Disposition</u>
2014-1130	China Basin Ballpark Co.	Continued to 6/28/16 at 9:30 a.m.
2014-1753	China Basin Ballpark Co.	Same as above
2014-1754	China Basin Ballpark Co.	Same as above
2014-1755	China Basin Ballpark Co.	Same as above

There being no further business, the Board, at the hour of 4:50 p.m., recessed to reconvene Tuesday, June 28, 2016, at 9:30 a.m.

Dawn Duran  
Administrator Acting as Clerk

Approved by the Board on June 28, 2016

Angela Calvillo  
Clerk of the Board of Supervisors

Summary of Public Comments - June 27, 2016

China Basin Ballpark Company

BOE **Annotation 180.0073** dated Nov 23, 2005 contains legal analysis regarding the separate assessment and base values for fixtures. This legal analysis describes situations whereby the **Assessment Board may adjust values not under protest**; citing the **Assessment Appeal Manuel** at **page 54** and authorities cited in R&T code section 1610.8.

Tax Rule 461(e) requires: fixtures, machinery, and equipment to be **valued separately** when measuring a decline in value.

**CBBC's tax appeal specifically claims a decline in value** therefore a separate valuation of fixtures is required, as fixtures do not depreciate like the stadium structure. 3rd Party Subtenant **fixtures** have escaped taxation for 15 years amounting to **lost public revenue of \$21 million dollars**:

Full Cash Value for this illustration example is deemed at \$357 million each year.

Subtenant taxable values are based on full cash value, less CBBC Settlement Agreement values equals subtenant **fixtures** taxable values.

**Shawn Karl Mooney**