

File No. 180742

Committee Item No. _____

Board Item No. 37

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____

Date: _____

Board of Supervisors Meeting

Date: July 17, 2018

Cmte Board

- | | | |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER

<input type="checkbox"/>	<input type="checkbox"/>	_____
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Prepared by: Jocelyn Wong

Date: July 12, 2018

Prepared by: _____

Date: _____

1 [Closed Session - Anticipated Litigation - Tax Measures Adopted by the Voters at the June 5,
2 2018 Municipal Election - July 24, 2018]

3 **Motion that the Board of Supervisors convene in closed session on July 24, 2018,**
4 **pursuant to California Government Code, Section 54956.9, and San Francisco**
5 **Administrative Code, Section 67.10(d)(2), for the purpose of conferring with, or**
6 **receiving advice from, the City Attorney regarding anticipated litigation in which the**
7 **City may be a plaintiff or a defendant, regarding the adoption of Proposition C**
8 **(Additional Tax on Commercial Rents Mostly to Fund Child Care and Education) and**
9 **Proposition G (Parcel Tax for San Francisco Unified School District) on the June 5,**
10 **2018, ballot.**

11
12 WHEREAS, California Government Code, Section 54956.9, and San Francisco
13 Administrative Code, Section 67.10(d)(2), allow the Board of Supervisors to convene in closed
14 session to confer with or receive advice from legal counsel regarding anticipated litigation; and

15 WHEREAS, At the consolidated statewide direct primary election on June 5, 2018, the
16 voters of the City and County of San Francisco adopted two tax measures: Proposition C,
17 titled Additional Tax on Commercial Rents Mostly to Fund Child Care and Education, and
18 Proposition G, titled Parcel Tax for San Francisco Unified School District; and

19 WHEREAS, The Board of Supervisors is currently considering an ordinance (Board
20 File No. 180736) amending the Business Tax and Regulations Code to permit validation
21 actions and impose a statute of repose with respect to Propositions C and G; and

22 WHEREAS, After the adoption of the above-referenced ordinance, the City may initiate
23 litigation to validate the two measures, as permitted by the ordinance; and

24 WHEREAS, Third parties also may initiate litigation against the City to challenge the
25 validity of one or both of the measures; now, therefore, be it

1 MOVED, That the Board of Supervisors convene in closed session on July 24, 2018,
2 with the City Attorney's Office for the purpose of conferring with, or receiving advice from, the
3 City Attorney regarding this anticipated litigation.
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Print Form

Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Topic submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Clerk of the Board

Subject:

Closed Session - Anticipated Litigation - Tax Measures Adopted by the Voters at the June 5, 2018 Municipal Election - July 24, 2018

The text is listed:

Motion that the Board of Supervisors convene in closed session on July 24, 2018, pursuant to California Government Code, Section 54956.9, and San Francisco Administrative Code, Section 67.10(d)(2), for the purpose of conferring with, or receiving advice from, the City Attorney regarding anticipated litigation in which the City may be a plaintiff or a defendant, regarding the adoption of Proposition C (Additional Tax on Commercial Rents Mostly to Fund Child Care and Education) and Proposition G (Parcel Tax for San Francisco Unified School District) on the June 5, 2018 ballot.

Signature of Sponsoring Supervisor: *Alisa Jomara*

For Clerk's Use Only

180742