

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

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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.**

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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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