

File No. 140938

Committee Item No. _____

Board Item No. 22

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee _____

Date _____

Board of Supervisors Meeting

Date September 9, 2014

Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget Analyst Report
- Legislative Analyst Report
- Introduction Form (for hearings)
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Award Letter
- Application
- Public Correspondence

OTHER (Use back side if additional space is needed)

<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____

Completed by: Joy Lamug

Date September 4, 2014

Completed by: _____

Date _____

An asterisked item represents the cover sheet to a document that exceeds 20 pages. The complete document is in the file.

1 [Closed Session - Anticipated Litigation - Establishing Community Facilities District 2014-1
2 (Transbay Transit Center)]

3 **Motion that the Board of Supervisors convene in closed session on September 9, 2014,**
4 **for the purpose of conferring with or receiving advice from the City Attorney regarding**
5 **anticipated litigation relating to the potential formation of Special Tax District 2014-1,**
6 **also known as the Transbay Transit Community Facilities District; in which the City is a**
7 **potential defendant; pursuant to California Government Code, Section 54956.9(a), and**
8 **San Francisco Administrative Code, Section 67.10(d)(2), which permits this closed**
9 **session because discussion in open session concerning this matter would likely and**
10 **unavoidably prejudice the position of the City in anticipated litigation.**

11
12 WHEREAS, California Government Code, Section 54956.9(a), 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 existing litigation; and

15 WHEREAS, In the opinion of the Board of Supervisors on the advice of the City
16 Attorney, based on existing facts and circumstances, there is a significant exposure to
17 litigation against the City and County of San Francisco if Special Tax District 2014-1 is
18 formed; and

19 WHEREAS, On September 9, 2014, the Board of Supervisors will consider a
20 Resolution (Board File No. 140816) and related items calling for a special election in the City
21 and County of San Francisco to form the Transbay Transit Center Community Facilities
22 District 2014-1; now, therefore, be it

23 MOVED, That the Board of Supervisors convene in closed session on September 9,
24 2014, for the purpose of conferring with, or receiving advice from, Legal Counsel regarding

1 anticipated litigation relating to the potential formation of the Transbay Transit Center
2 Community Facilities District 2014-1; and, be it

3 FURTHER MOVED, That Government Code, Section 54956.9(a), and Administrative
4 Code, Section 67.10(d)(2), permit this closed session because discussion in open session
5 concerning this matter would likely and unavoidably prejudice the position of the City in the
6 anticipated litigation.

Introduction Form

By a Member of the Board of Supervisors or the 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 [] inquires"
- 5. City Attorney request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Question(s) 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 a Imperative Form.

Sponsor(s):

Supervisor David Chiu

Subject:

Closed Session - Anticipated Litigation - Establishing Community Facilities District 2014-1

The text is listed below or attached:

See attached.

Signature of Sponsoring Supervisor: David Chiu

For Clerk's Use Only: