

File No. 230191

Committee Item No. 12

Board Item No. \_\_\_\_\_

# COMMITTEE/BOARD OF SUPERVISORS

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Committee: Government Audit and Oversight

Date: March 16, 2023

Board of Supervisors Meeting:

Date: \_\_\_\_\_

### Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU - FY2022-2024 - Clean
- MOU - FY2022-2024 - Redline
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract / DRAFT Mills Act Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

### OTHER

- \_\_\_\_\_
- \_\_\_\_\_
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Prepared by: Stephanie Cabrera

Date: March 9, 2023

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

1 [Settlement of Lawsuit - MJM Management Group - City to Receive \$400,000]

2  
3 **Ordinance authorizing settlement of the lawsuit filed by the City and County of San**  
4 **Francisco against MJM Management Group for \$400,000; the lawsuit was filed on April**  
5 **29, 2020, in San Francisco Superior, Case No. CGC-20-584294; entitled City and County**  
6 **of San Francisco v. MJM Management Group, et al.; the lawsuit involves allegations of**  
7 **false claims for reimbursement in connection with property management expenses at**  
8 **Yerba Buena Gardens; consistent with the requirements of the California False Claims**  
9 **Act, a portion of the City’s recovery shall be allocated to the qui tam plaintiff and to the**  
10 **City Attorney’s Office.**

11  
12 Be it ordained by the People of the City and County of San Francisco:

13 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby  
14 authorizes the City Attorney to settle the action entitled City and County of San Francisco v.  
15 MJM Management Group, et al., San Francisco Superior Court, Case No. CGC-20-584294 by  
16 the payment of \$400,000 by MJM Management Group and injunction against future  
17 contracting with the City and County of San Francisco for a period of three years. The lawsuit  
18 involves allegations of false claims for reimbursement in connection with property  
19 management expenses at Yerba Buena Gardens. Funds received by the City under this  
20 settlement must be used to support the continued operation of Yerba Buena Gardens.

21 Section 2. The above-named action was filed in San Francisco Superior Court on April  
22 29, 2020, and the following parties were named in the lawsuit: plaintiffs City and County of  
23 San Francisco and Successor Agency to the Redevelopment Agency of the City and County  
24 of San Francisco (commonly known as Office of Community investment and Infrastructure)  
25 and defendants MJM Management Group and DOES 1-20.

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APPROVED AS TO FORM AND  
RECOMMENDED:

DAVID CHIU  
City Attorney

/s/ Sara J. Eisenberg  
SARA J. EISENBERG  
Chief of Complex and Affirmative Litigation

RECOMMENDED:

Real Estate Division

/s/ Andrico Penick  
ANDRICO PENICK  
Director of Real Estate

APPROVED:

/s/ Carmen Chu  
CARMEN CHU  
City Administrator

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