

1 [Settlement of Lawsuit - Yerba Buena Consortium, LLP - City to Provide Pedestrian  
2 Improvements]

3 **Ordinance authorizing settlement of the lawsuit filed by Yerba Buena Consortium, LLP,**  
4 **and Tenants and Owners Development Corporation against the City and County of San**  
5 **Francisco; the lawsuit was filed on August 19, 2013, in Sacramento Superior Court,**  
6 **Case No. 34-2013-80001611; entitled Yerba Buena Consortium, LLP, et al. v. City and**  
7 **County of San Francisco, et al.; material terms of said settlement are installing “no**  
8 **bicycle riding on sidewalk” signs in Yerba Buena area, widening the sidewalk at corner**  
9 **of 4th and Mission Streets, applying for funding to install a pedestrian crosswalk at**  
10 **Folsom and Mabini Streets, convening a Sidewalk Management Workgroup, drafting a**  
11 **Sidewalk Management Plan, and providing special notice for sidewalk table permits.**

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

14 Section 1. Pursuant to Charter, Section 6.102(5), the Board of Supervisors hereby  
15 authorizes the City Attorney to settle the action entitled Yerba Buena Consortium, LLP, et al.  
16 v. City and County of San Francisco, et al., Sacramento Superior Court, Case No. 34-2013-  
17 80001611 by the material terms as set forth in the Settlement Agreement contained in Board  
18 of Supervisors File No. 140664. The material terms of the Settlement Agreement include the  
19 City’s agreement to install “no bicycle or skateboard riding on sidewalk” signs in Yerba Buena  
20 area, widen the sidewalk at corner of 4th and Mission Streets, apply for funding to install a  
21 pedestrian crosswalk at Folsom and Mabini Streets, convene a Sidewalk Management  
22 Workgroup, draft a Sidewalk Management Plan, and provide special notice for sidewalk table  
23 permits; and Real Party in Interest and Project Sponsor, 706 Mission Street Co., LLC,

1 agreement to donate \$200,000 to the City to offset costs of sidewalk widening and the  
2 Sidewalk Management Workgroup and Plan.

3 Section 2. The above-named action was filed in Sacramento Superior Court on August  
4 19, 2013, and the following parties were named in the lawsuit: Petitioners Yerba Buena  
5 Consortium, LLP, and Tenants and Owners Development Corporation; Respondents City and  
6 County of San Francisco, and Successor Agency to the Redevelopment Agency of the City  
7 and County of San Francisco; and numerous Real Parties in Interest including 706 Mission  
8 Street Co., LLC, Millennium Partners, and the Mexican Museum.

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APPROVED AS TO FORM AND  
RECOMMENDED:

DENNIS J. HERRERA  
City Attorney

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ROBB KAPLA  
Deputy City Attorney

RECOMMENDED:

SAN FRANCISCO DEPARTMENT OF  
PUBLIC WORKS

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MOHAMMED NURU  
DIRECTOR

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