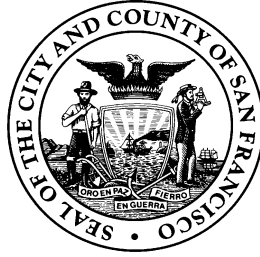


BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

GOVERNMENT AUDIT AND OVERSIGHT COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Gordon Mar, Chair
Government Audit and Oversight Committee

FROM: John Carroll, Assistant Clerk

DATE: July 19, 2019

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**
Tuesday, July 23, 2019

The following file should be presented as a COMMITTEE REPORT at the regular Board meeting, Tuesday, July 23, 2019. This ordinance was acted upon at the regular Government Audit and Oversight Committee meeting on Thursday, July 18, 2019, at 10:00 a.m., by the votes indicated.

Item No. 56 File No. 190647

Ordinance authorizing settlement of the lawsuit filed by Fidel Joshua against the City and County of San Francisco for \$460,000; the lawsuit was filed on December 9, 2014, in the United States District Court, Northern District of California, Case No. 14-cv-05394-JD; entitled Fidel Joshua v. City and County of San Francisco; the lawsuit involves an employment dispute.

RECOMMENDED AS A COMMITTEE REPORT

Vote: Supervisor Gordon Mar - Aye
Supervisor Vallie Brown - Aye
Supervisor Aaron Peskin - Aye

Cc: Board of Supervisors
Angela Calvillo, Clerk of the Board
Alisa Somera, Legislative Deputy
Jon Givner, Deputy City Attorney

File No. 190647

Committee Item No. 6

Board Item No. 56

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight

Date: July 18, 2019

Board of Supervisors Meeting:

Date: July 23, 2019

Cmte Board

- | | | |
|-------------------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input checked="" type="checkbox"/> | <input checked="" 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 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

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| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Referral FYI - May 24, 2019</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Presidential Action Transfer Memo - May 24, 2019</u> |

Prepared by: John Carroll

Date: July 11, 2019

Prepared by: John Carroll

Date: July 19, 2019

1 [Settlement of Lawsuit - Fidel Joshua - \$460,000]

2

3 **Ordinance authorizing settlement of the lawsuit filed by Fidel Joshua against the City**
4 **and County of San Francisco for \$460,000; the lawsuit was filed on December 9, 2014,**
5 **in the United States District Court, Northern District of California, Case**
6 **No. 14-cv-05394-JD; entitled Fidel Joshua v. City and County of San Francisco; the**
7 **lawsuit involves an employment dispute.**

8

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

10 Section 1. Pursuant to Charter, Section 6.102(5), the Board of Supervisors hereby
11 authorizes the City Attorney to settle the action entitled Fidel Joshua v. City and County of
12 San Francisco, United States District Court, Northern District of California, Case
13 No. 14-cv-05394-JD by the payment of \$460,000. The lawsuit involves an employment
14 dispute.

15 Section 2. The above-named action was filed in United States District Court, Northern
16 District of California on December 9, 2014, and the following parties were named in the
17 lawsuit: Plaintiff: Fidel Joshua; Defendant: City and County of San Francisco.

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APPROVED AS TO FORM AND
RECOMMENDED:

DENNIS J. HERRERA
City Attorney



KATHARINE HOBIN PORTER
Chief Labor Attorney

FUNDS AVAILABLE:



BEN ROSENFELD
Controller

RECOMMENDED:

RECREATION AND PARKS DEPARTMENT



PHILIP A. GINSBURG
General Manager

APPROVED:



MARGARET MCARTHUR
Secretary, Recreation and Parks Commission

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LEGISLATION RECEIVED CHECKLIST

Date 5/24/19

File Number (if applicable) 190647

- Legislation for Introduction (NEW) ▶▶▶ Legislative Clerk
- Legislation Pending in Committee (AMENDED) ▶▶▶ Committee Clerk
- Legislation for Board Agenda (AMENDED) ▶▶▶ Deputy Clerk

Supervisor, Mayor, and Departmental Submittals

Grant Ordinance

- Legislation:** Original, 1 hard copy, and 1 electronic copy in **Word** format
- Signature:** Department Head, Mayor or the Mayor's designee, plus the Controller
- Supporting documents:** 1 full set, and separate **pdf** copies of each in email
 - Cover letter (original)
 - Grant budget/application
 - Grant information form, including signed disability checklist
 - Letter of Intent or grant award letter from funding agency
 - Contract, Leases/Agreements (if applicable)
 - Ethics Form 126 (if applicable) in **Word** format
 - Other support documents as identified in the cover letter and legislation
- E-Copy of legislation/supporting documents: Sent to BOS.Legislation@sfgov.org**

2019 MAY 24 PM 3:01
S.F. BOARD OF SUPERVISORS

Ordinance

- Legislation:** Original, 1 hard copy, and 1 electronic copy in **Word** format
- Signature:** City Attorney (For Settlement of Lawsuits - City Attorney, Department Head, Controller, Commission Secretary)
- Supporting documents:** 1 full set, and separate **pdf** copies of each in email
 - Cover letter (original)
 - Settlement Report/Agreement (for settlements)
 - Other support documents as identified in the cover letter and legislation
- E-Copy of legislation/supporting documents: Sent to BOS.Legislation@sfgov.org**

Grant Resolution

- Legislation:** Original, 1 hard copy, and 1 electronic copy in **Word** format
- Signature:** Department Head, Mayor or the Mayor's designee, plus the Controller
- Supporting documents:** 1 full set, and separate **pdf** copies of each in email
 - Cover letter (original)
 - Grant budget/application
 - Grant information form, including signed disability checklist
 - Letter of Intent or grant award letter from funding agency
 - Contract, Leases/Agreements (if applicable)
 - Ethics Form 126 (if applicable) in **Word** format
 - Other support documents as identified in the cover letter and legislation
- E-Copy of legislation/supporting documents: Sent to BOS.Legislation@sfgov.org**

Resolution

- Legislation:** Original, 1 hard copy, and 1 electronic copy in **Word** format
- Signature:** None (Note: Required for Settlement of Claims - City Attorney, Department Head, Controller, Commission Secretary)
- Supporting documents:** 1 full set, and separate **pdf** copies of each in email
 - Cover letter (original)
 - Settlement Report/Agreement (for settlements)
 - Other support documents as identified in the cover letter and legislation
- E-Copy of legislation/supporting documents: Sent to BOS.Legislation@sfgov.org**

Toy Perez 554-3869
Name and Telephone Number

City Attorney
Department