

BOARD of SUPERVISORS



City Hall  
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TDD/TTY No. 554-5227

## MEMORANDUM

### RULES COMMITTEE

#### SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Norman Yee, Chair  
Rules Committee

FROM: Alisa Miller, Committee Clerk

DATE: March 10, 2014

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**  
Tuesday, March 11, 2014

The following file should be presented as a **COMMITTEE REPORT** at the Board meeting, Tuesday, March 11, 2014. This item was acted upon at the Committee Meeting on Thursday, March 6, 2014, at 2:00 p.m., by the votes indicated.

**Item No. 15            File No. 140119**

Ordinance authorizing settlement of the lawsuit filed by BRE/GLEN Portfolio Mezz 4, LLC, against the City and County of San Francisco for \$512,581.50; the lawsuit was filed on March 26, 2013, in San Francisco Superior Court, Case No. CGC-13-530011; entitled BRE/GLEN Portfolio Mezz 4, LLC v. City and County of San Francisco.

#### RECOMMENDED AS A COMMITTEE REPORT

Vote: Supervisor Norman Yee - Aye  
Supervisor Katy Tang - Aye  
Supervisor Eric Mar - Absent  
Supervisor David Campos - Excused

c: Board of Supervisors  
Angela Calvillo, Clerk of the Board  
Rick Caldeira, Deputy Legislative Clerk  
Jon Givner, Deputy City Attorney

File No. 140119

Committee Item No. 9

Board Item No. 15

# COMMITTEE/BOARD OF SUPERVISORS

## AGENDA PACKET CONTENTS LIST

Committee: Rules

Date March 6, 2014

Board of Supervisors Meeting

Date March 11, 2014

### 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 checked="" type="checkbox"/> | <input checked="" 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 (Use back side if additional space is needed)

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Completed by: Alisa Miller Date February 28, 2014

Completed by: Alisa Miller Date March 10, 2014

1 [Settlement of Lawsuit - BRE/GLEN Portfolio Mezz 4 LLC - \$512,581.50]

2  
3 **Ordinance authorizing settlement of the lawsuit filed by BRE/GLEN Portfolio Mezz 4**  
4 **LLC against the City and County of San Francisco for \$512,581.50; the lawsuit was filed**  
5 **on March 26, 2013, in San Francisco Superior Court, Case No. CGC-13-530011; entitled**  
6 **BRE/GLEN Portfolio Mezz 4 LLC v. City and County of San Francisco.**

7  
8 Be it ordained by the People of the City and County of San Francisco:

9 Section 1. Pursuant to Charter section 6.102(5), the Board of Supervisors hereby  
10 authorizes the City Attorney to settle the action entitled BRE/GLEN Portfolio Mezz 4 LLC v.  
11 City and County of San Francisco, San Francisco Superior Court, Case No. CGC-13-530011  
12 by the payment of \$512,581.50.

13 Section 2. The above-named action was filed in San Francisco Superior Court on  
14 March 26, 2013, and the following parties were named in the lawsuit: plaintiff BRE/GLEN  
15 Portfolio Mezz 4 LLC and defendant City and County of San Francisco.

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APPROVED AS TO FORM AND  
RECOMMENDED:

DENNIS J. HERRERA  
City Attorney



JULIE VAN NOSTERN  
Chief Tax Deputy

RECOMMENDED:

ASSESSOR -RECORDER'S OFFICE



CARMEN CHU  
Assessor-Recorder

FUNDS AVAILABLE:



BEN ROSENFELD  
Controller

Index Code: 975031  
Sub Object: 05311

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LEGISLATION RECEIVED CHECKLIST

Date 2/10/14

File Number (if applicable) \_\_\_\_\_

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

Supervisor, Mayor, and Departmental Submittals

Grant Ordinance

- Legislation:** Original and 2 hard copies and 1 electronic copy in word format
- Signature:** Department Head, Mayor or the Mayor's designee, plus the Controller
- Back-up materials:** 2 full sets (see below) and 1 electronic copy in pdf format\*
  - Cover letter (original and 1 hard copy)
  - Grant budget/application
  - Grant information form, including disability checklist
  - Letter of Intent or grant award letter from funding agency
  - Contract, Leases/Agreements (if applicable)
  - Ethics Form 126 (if applicable)\*Word format
- E-Copy of legislation/back-up materials: Sent to BOS.Legislation@sfgov.org**

Ordinance

- Legislation:** Original and 2 hard copies and 1 electronic copy in word format
- Signature:** City Attorney (For Settlement of Lawsuits - City Attorney, Department Head, Controller, Commission Secretary)
- Back-up materials:** 2 hard copies (see below) and 1 electronic copy in pdf format
  - Cover letter (original and 1 hard copy)
  - Settlement Report/Agreement (for settlements)
  - Other (Explain)
- E-Copy of legislation/back-up materials: Sent to BOS.Legislation@sfgov.org**

Grant Resolution

- Legislation:** Original and 2 hard copies and 1 electronic copy in word format
- Signature:** Department Head, Mayor or the Mayor's designee, plus the Controller
- Back-up materials:** 2 hard copies (see below) and 1 electronic copy in pdf format\*
  - Cover letter (original and 1 hard copy)
  - Grant budget/application
  - Grant information form, including disability checklist
  - Letter of Intent or grant award letter from funding agency
  - Contract, Leases/Agreements (if applicable)
  - Ethics Form 126 (if applicable)\*Word format
- E-Copy of legislation/back-up materials: Sent to BOS.Legislation@sfgov.org**

Resolution

- Legislation:** Original and 2 hard copies and 1 electronic copy in word format
- Signature:** None (Required for Settlement of Claims - City Attorney, Department Head, Controller, Commission Secretary)
- Back-up materials:** 2 full sets (see below) and 1 electronic copy in pdf format
  - Cover letter (original and 1 hard copy)
  - Settlement Report/Agreement (for settlements)
  - Other (Explain)
- E-Copy of legislation/back-up materials: Sent to BOS.Legislation@sfgov.org**

Shona Navarrc 554-3889  
Name and Telephone Number

CITY ATTORNEY  
Department

140119