

BOARD of SUPERVISORS



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## MEMORANDUM

### GOVERNMENT AUDIT AND OVERSIGHT COMMITTEE

#### SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Jackie Fielder, Chair  
Government Audit and Oversight Committee

FROM: Monique Crayton, Assistant Clerk

DATE: July 18, 2025

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**  
Tuesday, July 22, 2025

The following file should be presented as COMMITTEE REPORT at the regular Board meeting on Tuesday, July 22, 2025. This ordinance was acted upon at the Regular Government Audit and Oversight Committee meeting on Thursday, July 17, 2025, at 10:00 a.m., by the votes indicated.

**Item No. 59**

**File No. 250632**

**Ordinance authorizing settlement of the lawsuit filed by UnitedLayer, LLC against the City and County of San Francisco, for \$850,000; the lawsuit was filed on September 14, 2022, in San Francisco Superior Court, Case No. CGC-22-601798, entitled UnitedLayer, LLC v. City and County of San Francisco; the lawsuit involves allegations of breach of contract arising from disputed additional costs associated with a colocation agreement whereby the City received certain data center services; other material terms of the settlement are a complete release of claims relating to the colocation agreement.**

#### RECOMMENDED AS A COMMITTEE REPORT

Vote: Supervisor Jackie Fielder - Aye  
Supervisor Danny Sauter - Aye  
Supervisor Stephen Sherrill - Aye

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

File No. 250632

Committee Item No. 22

Board Item No. 59

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight

Date: July 17, 2025

Board of Supervisors Meeting:

Date: July 22, 2025

#### 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 - FY2022-2024 - Clean                    |
| <input type="checkbox"/>            | <input type="checkbox"/>            | MOU - FY2022-2024 - Redline                  |
| <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 / DRAFT Mills Act 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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Prepared by: Monique Crayton

Date: July 11, 2025

Prepared by: Monique Crayton

Date: July 18, 2025

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

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

1 [Settlement of Lawsuit - UnitedLayer, LLC - \$850,000]

2  
3 **Ordinance authorizing settlement of the lawsuit filed by UnitedLayer, LLC against the**  
4 **City and County of San Francisco, for \$850,000; the lawsuit was filed on September 14,**  
5 **2022, in San Francisco Superior Court, Case No. CGC-22-601798, entitled UnitedLayer,**  
6 **LLC v. City and County of San Francisco; the lawsuit involves allegations of breach of**  
7 **contract arising from disputed additional costs associated with a colocation agreement**  
8 **whereby the City received certain data center services; other material terms of the**  
9 **settlement are a complete release of claims relating to the colocation agreement.**

10  
11 Be it ordained by the People of the City and County of San Francisco:

12 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby  
13 authorizes the City Attorney to settle the action entitled UnitedLayer, LLC v. City and County  
14 of San Francisco, San Francisco Superior Court, Case No. CGC-22-601798 by the payment  
15 of \$850,000. The lawsuit involves allegations of breach of contract arising from disputed  
16 additional costs associated with a colocation agreement whereby the City received certain  
17 data center services.

18 Section 2. The above-named action was filed in San Francisco Superior Court on  
19 September 14, 2022, and the following parties were named in the lawsuit: plaintiff  
20 UnitedLayer, LLC, and defendant City and County of San Francisco.

1 APPROVED AS TO FORM AND  
2 RECOMMENDED:

3 DAVID CHIU  
4 City Attorney

RECOMMENDED:  
DEPARTMENT OF TECHNOLOGY

5 /s/  
6 ELAINE M. O'NEIL  
7 Team Leader, Construction and Public  
8 Contracting

/s/  
MICHAEL MAKSTMAN  
Department Head

9 FUNDS AVAILABLE:

10 /s/ Michelle Allersma for Greg Wagner  
11 GREG WAGNER  
12 Controller

Member, Board of Supervisors  
District 9



City and County of San Francisco

JACKIE FIELDER

DATE:	July 10, 2025
TO:	Angela Calvillo Clerk of the Board of Supervisors
FROM:	Supervisor Jackie Fielder, Chair, Government Audit and Oversight Committee
RE:	Government Audit and Oversight Committee COMMITTEE REPORTS

Pursuant to Board Rule 4.20, as Chair of Government Audit and Oversight Committee, I have deemed the following matter is of an urgent nature and request that it be considered by the full Board on Tuesday, July 22, 2025, as a Committee Report:

1. File No. 250632 - Settlement of Lawsuit  
- UnitedLayer, LLC - \$850,000

This matter will be heard in the Government Audit and Oversight Committee at a Regular Meeting on Thursday, July 17, 2025, at 10:00 a.m.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jackie Fielder".

Jackie Fielder