

1 [Closed Session - Anticipated Litigation - Establishing a Homeownership Stabilization
2 Authority]

3 **Motion that the Board of Supervisors convene in closed session on October 21, 2014,**
4 **for the purpose of conferring with, or receiving advice from the City Attorney regarding**
5 **anticipated litigation relating to the potential negotiation or adoption of a Joint Powers**
6 **Agreement with the City of Richmond to establish a Homeownership Stabilization**
7 **Authority to assist homeowners with troubled mortgages, in which the City is a**
8 **potential defendant; pursuant to California Government Code, Section 54956.9(a), and**
9 **San Francisco Administrative Code, Section 621.10(d)(2), which permit this closed**
10 **session because discussion in open session concerning this matter would likely and**
11 **unavoidably prejudice the position of the City in anticipated litigation.**

12
13 WHEREAS, California Government Code, Section 54956.9(a), and San Francisco
14 Administrative Code, Section 621.10(d)(2), allow the Board of Supervisors to convene in
15 closed session to confer with or receive advice from legal counsel regarding anticipated
16 litigation; and

17 WHEREAS, In the opinion of the Board of Supervisors on the advice of the City
18 Attorney, based on existing facts and circumstances, there is a significant exposure to
19 litigation against the City and County of San Francisco relating to the potential negotiation and
20 adoption of a Joint Powers Agreement with the City of Richmond to establish a
21 Homeownership Stabilization Authority to assist homeowners with troubled mortgages; and

22 WHEREAS, On October 21, 2014, the Board of Supervisors will consider a Resolution
23 (Board File No. 140709) directing the Director of the Mayor's Office of Housing, in consultation
24 with the City Attorney's Office, to negotiate a joint exercise of powers agreement with the City
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1 of Richmond and possibly other public agencies to be presented to the Board for
2 consideration at a future date; now, therefore, be it

3 MOVED, That the Board of Supervisors convene in closed session on October 21,
4 2014, for the purpose of conferring with, or receiving advice from, legal counsel relating to the
5 potential negotiation and adoption of a Joint Powers Agreement with the City of Richmond to
6 establish a Homeownership Stabilization Authority to assist homeowners with troubled
7 mortgages; and be it

8 FURTHER MOVED, That Government Code, Section 54956.9(a), and Administrative
9 Code, Section 621.10(d)(2), permit this closed session because discussion in open session
10 concerning this matter would likely and unavoidably prejudice the position of the City in the
11 anticipated litigation.