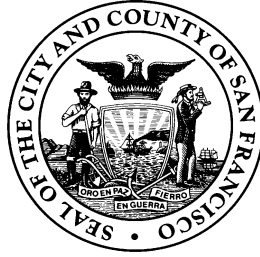


BOARD of SUPERVISORS



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. 55**                      **File No. 190404**

**Ordinance authorizing settlement of petitioner's claim for attorney's fees and costs in the lawsuit filed by San Franciscans for Livable Neighborhoods against the City and County of San Francisco for \$247,799.50; the lawsuit was filed on August 4, 2011, in San Francisco Superior Court, Case No. 513-077; entitled San Franciscans for Livable Neighborhoods v. City and County of San Francisco; the lawsuit involves a challenge to the environmental impact report prepared in support of, and the approval of, the 2009 Housing Element of the San Francisco General Plan.**

AMENDED, AN AMENDMENT OF THE WHOLE BEARING A NEW TITLE

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

RECOMMENDED AS AMENDED 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. 190404

Committee Item No. 5

Board Item No. 55

## 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 - VERSION 2                        |
| <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 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 - San Franciscans for Livable Neighborhoods - Attorney's Fees and  
2 Costs - \$247,799.50]

3 **Ordinance authorizing settlement of petitioner's claim for attorney's fees and costs in**  
4 **the lawsuit filed by San Franciscans for Livable Neighborhoods against the City and**  
5 **County of San Francisco for \$247,799.50; the lawsuit was filed on August 4, 2011, in**  
6 **San Francisco Superior Court, Case No. 513-077; entitled San Franciscans for Livable**  
7 **Neighborhoods v. City and County of San Francisco; the lawsuit involves a challenge**  
8 **to the environmental impact report prepared in support of, and the approval of,**  
9 **the 2009 Housing Element of the San Francisco General Plan.**

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 petitioner's claim for attorney's fees and costs in the  
14 action entitled San Franciscans for Livable Neighborhoods v. City and County of San  
15 Francisco, San Francisco Superior Court, Case No.513-077, by the payment of \$247,799.50.  
16 The lawsuit involves a challenge to the environmental impact report prepared for and approval  
17 of the 2009 Housing Element of the San Francisco General Plan.

18 Section 2. The above-named action was filed in San Francisco Superior Court on  
19 August 4, 2011, and the following parties were named in the lawsuit: petitioner San  
20 Franciscans for Livable Neighborhoods and respondent City and County of San Francisco.

21 ///

22 ///

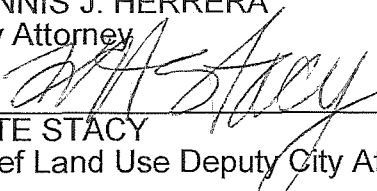
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APPROVED AS TO FORM AND  
RECOMMENDED:

DENNIS J. HERRERA  
City Attorney

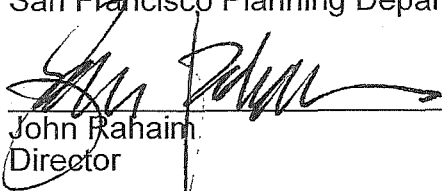
  
\_\_\_\_\_  
KATE STACY  
Chief Land Use Deputy City Attorney

FUNDS AVAILABLE:

  
\_\_\_\_\_  
BEN ROSENFELD  
Controller

RECOMMENDED:

San Francisco Planning Department

  
\_\_\_\_\_  
John Rahaim  
Director

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**LEGISLATION RECEIVED CHECKLIST**

Date 4/12/19

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

- 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**

**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**

Joy Perez 554-3869  
Name and Telephone Number

City Attorney  
Department

2019 APR 12 AM 11:45  
S.M.E. (111-111)