

File No. 210160

Committee Item No. 2

Board Item No. 4

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight  
Board of Supervisors Meeting:

Date: March 18, 2021

Date: April 6, 2021

#### 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"/> | _____ |
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Prepared by: John Carroll

Date: March 12, 2021

Prepared by: John Carroll

Date: April 1, 2021

Prepared by: John Carroll

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

1 [Settlement of Lawsuit - Jose Poot, Kishawn Norbert, Kenyon Norbert, Marshall  
2 Higginbotham, Antoine DeWhitt, Corey Butler, Montrail Brackens, Delon Barker, Javonn Allen  
3 - \$30,000]

4 **Ordinance authorizing settlement of the lawsuit filed by Jose Poot, Kishawn Norbert,**  
5 **Kenyon Norbert, Marshall Higginbotham, Antoine DeWhitt, Cory Butler, Montrail**  
6 **Brackens, Delon Barker, Javonn Allen against the City and County of San Francisco**  
7 **for \$30,000; the lawsuit was filed on May 20, 2019, in United States District Court –**  
8 **Northern District of California, Case No. 19-cv-02722; entitled Jose Poot, Kishawn**  
9 **Norbert, Kenyon Norbert, Marshall Higginbotham, Antoine DeWhitt, Cory Butler,**  
10 **Montrail Brackens, Delon Barker, Javonn Allen v. San Francisco County Sheriff’s**  
11 **Department, et al.; the lawsuit involves claims that the sleep schedule and frequent**  
12 **sleep disruptions at County Jails 4 and 5 created unconstitutional conditions of**  
13 **confinement for the inmates; other material terms of the settlement are that the court**  
14 **approve the settlement.**

15  
16 Be it ordained by the People of the City and County of San Francisco:

17 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby  
18 authorizes the City Attorney to settle the action entitled Jose Poot, Kishawn Norbert, Kenyon  
19 Norbert, Marshall Higginbotham, Antoine DeWhitt, Cory Butler, Montrail Brackens, Delon  
20 Barker, Javonn Allen v. San Francisco County Sheriff’s Department, et al., United States  
21 Districts Court – Northern District of California, Case No. 19-cv-02722 by the payment of  
22 \$30,000. The lawsuit involves claims that the sleep schedule and frequent sleep disruptions  
23 at County Jails 4 and 5 created unconstitutional conditions of confinement for the inmates;  
24 other material terms of the settlement are that the court approve the settlement.

1           Section 2. The above-named action was filed in United States District Court – Northern  
2 District of California on May 20, 2019, and the following parties were named in the lawsuit:  
3 Plaintiffs: Jose Poot, Kishawn Norbert, Kenyon Norbert, Marshall Higginbotham, Antoine  
4 DeWhitt, Cory Butler, Montrail Brackens, Delon Barker, Javonn Allen; Defendants: San  
5 Francisco County Sheriff’s Department, City and County of San Francisco, Vicki Hennessy,  
6 Paul Miyamoto, Jason Jackson, Kevin McConnell.

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APPROVED AS TO FORM AND  
RECOMMENDED:

DENNIS J. HERRERA  
City Attorney

/s/ Meredith B. Osborn  
MEREDITH B. OSBORN  
Chief Trial Deputy

FUNDS AVAILABLE:

/s/ Michelle Allersma for Ben Rosenfield  
BEN ROSENFELD  
Controller

RECOMMENDED:

SAN FRANCISCO SHERIFF DEPARTMENT

/s/  
PAUL MIYAMOTO  
Sheriff

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## LEGISLATION RECEIVED CHECKLIST

Date 2/10/21 File Number (if applicable) \_\_\_\_\_

- |                                     |   |     |                   |
|-------------------------------------|---|-----|-------------------|
| <input checked="" type="checkbox"/> | Legislation for Introduction ( <b>NEW</b> )         | ▶▶▶ | Legislative Clerk |
| <input type="checkbox"/>            | Legislation Pending in Committee ( <b>AMENDED</b> ) | ▶▶▶ | Committee Clerk   |
| <input type="checkbox"/>            | Legislation for Board Agenda ( <b>AMENDED</b> )     | ▶▶▶ | 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 415-554-3869  
Name and Telephone Number

City Attorney  
Department