

1 [Issuance of Subpoena Duces Tecum - Ramin Golesorkhi]

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3 **Motion directing the Clerk of the Board of Supervisors to issue a subpoena duces**
4 **tecum to Ramin Golesorkhi, requiring him to appear at the Government Audit &**
5 **Oversight Committee on April 4, 2018, at 10:00 a.m., to provide oral information at the**
6 **hearing of File No. 160975 and respond to questions regarding the design,**
7 **geotechnical analysis, engineering, and peer review for the projects at 301 Mission**
8 **Street and 80 Natoma Street; and requiring him to produce documents,**
9 **correspondence, records, and other materials in his possession related to that project.**

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11 WHEREAS, News accounts in August 2016 revealed that the high-rise building at 301
12 Mission Street, commonly known as the Millennium Tower, was settling differentially at double
13 the anticipated amount predicted for the entire life of the project, and has sunk a total of 17
14 inches since its 2009 completion; and

15 WHEREAS, Recent legal filings indicate that the 60-story Millennium Tower, which
16 upon its completion in 2009 was the tallest concrete structure on the west coast, as well as
17 the tallest residential building west of Chicago, will tilt another ten inches to the west by 2019;
18 and

19 WHEREAS, A shorter and less heavy project at 80 Natoma Street with a similar mat
20 foundation was ultimately halted as a result of experts' concerns about the structure's
21 performance during a seismic event, according to a legal declaration in October 2004; and

22 WHEREAS, Mr. Golesorkhi previously served as a Principal at the geotechnical firm
23 Treadwell & Rollo from 1995 to 2014 where he led the geotechnical analysis and developed
24 soil reports for both the 301 Mission Street and 80 Natoma Street projects, ultimately
25 concluding that both projects would only sink a few inches over the life of both projects; and

1 WHEREAS, Mr. Golesorkhi's 2001 soil report on 301 Mission Street contained
2 acknowledgements that the Millennium Tower could sink as much as an inch during a seismic
3 event and that the soil underneath its foundation was and is "susceptible to liquefaction;" and

4 WHEREAS, The 301 Mission Street project was known by the geotechnical engineers
5 at Treadwell & Rollo to be a bigger and heavier building with the same foundation on worse
6 soil as the halted 80 Natoma project; and

7 WHEREAS, Supervisor Aaron Peskin, Member of the Government Audit and Oversight
8 Committee, has requested that Mr. Golesorkhi attend a hearing of the Committee to respond
9 to questions regarding his intimate knowledge of the 301 Mission and 80 Natoma Street
10 projects and provide the Committee with relevant records in his possession, but Mr.
11 Golesorkhi has not yet indicated his willingness to participate; and

12 WHEREAS, A draft subpoena requiring Mr. Golesorkhi to attend a hearing of the
13 Committee and to produce documents is on file with the Clerk of the Board of Supervisors in
14 File No. 180249; now, therefore, be it

15 MOVED, That pursuant to its authority under Charter, Section 16.114, and Government
16 Code, Sections 25170 and 37104, the Board of Supervisors hereby directs the Clerk of the
17 Board to issue a subpoena duces tecum in substantially the form and substance of the draft
18 subpoena referenced above, requiring Mr. Golesorkhi to (1) attend the Government Audit and
19 Oversight Committee meeting at 10:00 a.m. on April 4, 2018, to provide oral information and
20 respond to questions regarding his participation in and knowledge regarding the design,
21 geotechnical analysis, engineering, and peer review for the projects at 301 Mission Street and
22 80 Natoma Street in San Francisco; and (2) produce and permit inspection and copying of all
23 documents, records, and other materials in his possession related to that project; and, be it

1 FURTHER MOVED, That the Clerk of the Board of Supervisors, in consultation with the
2 City Attorney, may amend the draft subpoena prior to issuing it, consistent with the direction in
3 this Motion; and, be it

4 FURTHER MOVED, That the Clerk and the Chairperson of the Government Audit and
5 Oversight Committee may in their discretion modify the time and date set forth in the
6 subpoena, and may reissue the subpoena with a modified time and date, in order to
7 accommodate Mr. Golesorkhi's and the Committee's schedules.

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City and County of San Francisco

Tails

Motion: M18-036

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 180249

Date Passed: March 20, 2018

Motion directing the Clerk of the Board of Supervisors to issue a subpoena duces tecum to Ramin Golesorkhi, requiring him to appear at the Government Audit & Oversight Committee on April 4, 2018, at 10:00 a.m., to provide oral information at the hearing of File No. 160975 and respond to questions regarding the design, geotechnical analysis, engineering, and peer review for the projects at 301 Mission Street and 80 Natoma Street; and requiring him to produce documents, correspondence, records, and other materials in his possession related to that project.

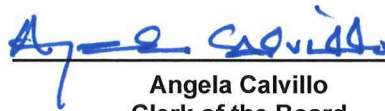
March 20, 2018 Board of Supervisors - APPROVED

Ayes: 10 - Breed, Cohen, Fewer, Kim, Ronen, Safai, Sheehy, Stefani, Tang and Yee

Excused: 1 - Peskin

File No. 180249

I hereby certify that the foregoing Motion was APPROVED on 3/20/2018 by the Board of Supervisors of the City and County of San Francisco.


Angela Calvillo
Clerk of the Board

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

SUBPOENA

To: **Ramin Golesorkhi**
C/O Langan
555 Montgomery Street
Suite 1300
San Francisco, CA 94111-2517

Pursuant to Section 16.114 of the San Francisco Charter and California Government Code Sections 25170 and 37104, the San Francisco Board of Supervisors hereby commands you to appear at **10:00 a.m. on April 4, 2018** at the following location:

City Hall
1 Dr. Carlton B. Goodlett Place
Legislative Chamber, Room 250
San Francisco, CA 94102

- To provide oral information and respond to questions regarding your participation in and knowledge regarding the design, geotechnical analysis, engineering, and peer review for the projects at 301 Mission Street and 80 Natoma Street in San Francisco; and
- To produce and permit inspection and copying of all documents, records, and other materials in your possession related to those two projects.

If you have any questions regarding compliance with this subpoena, contact:

Angela Calvillo, Clerk of the Board of Supervisors, Tel. (415) 554-5184

Failure to comply with the commands of this subpoena may subject you to enforcement proceedings before the Superior Court of the State of California.

Date:

3/22/18

By:

Angela Calvillo
Angela Calvillo, Clerk of the Board