

File No. 140888

Committee Item No. _____

Board Item No. 21

COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST

Committee _____

Date _____

Board of Supervisors Meeting

Date September 9, 2014

Cmte Board

- | | | |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
| <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"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____

Completed by: Joy Lamug

Date September 4, 2014

Completed by: _____

Date _____

An asterisked item represents the cover sheet to a document that exceeds 20 pages. The complete document is in the file.

1 [Closed Session - Anticipated Litigation - Buffer Zone at Reproductive Health Care Facilities]

2
3 **Motion that the Board of Supervisors convene in closed session on September 9, 2014,**
4 **for the purpose of conferring with, or receiving advice from the City Attorney regarding**
5 **anticipated litigation as defendant relating to Police Code, Article 43, prohibiting**
6 **entering or remaining in buffer zones at reproductive healthcare facilities, in light of**
7 **McCullen v. Coakley (2014) 573 U.S. ____; pursuant to California Government Code,**
8 **Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(2), which**
9 **permit this closed session because discussion in open session concerning this matter**
10 **would likely and unavoidably prejudice the position of the City in the anticipated**
11 **litigation.**

12
13 WHEREAS, California Government Code, Section 54956.9(a), and San Francisco
14 Administrative Code, Section 67.10(d)(2), allow the Board of Supervisors to convene in closed
15 session to confer with or receive advice from the City Attorney regarding anticipated litigation;
16 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 challenging Police Code, Article 43, which prohibits entering or
20 remaining in buffer zones at reproductive healthcare facilities, in light of *McCullen v. Coakley*
21 (2014) 573 U.S. ____ ; now, therefore, be it

22 MOVED, That the Board of Supervisors convene in closed session on September 9,
23 2014, for the purpose of conferring with, or receiving advice from, the City Attorney regarding
24 anticipated litigation; and, be it

1 FURTHER MOVED, That California Government Code, Section 54956.9(a), and San
2 Francisco Administrative Code, Section 67.10(d)(2), permit this closed session because
3 discussion in open session concerning this matter would likely and unavoidably prejudice the
4 position of the City in the anticipated litigation.

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Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [] inquires"
- 5. City Attorney request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.

Sponsor(s):


Campos

Subject:

Closed Session - Anticipated Litigation - Buffer Zone at Reproductive Health Care Facilities

The text is listed below or attached:

[]

Signature of Sponsoring Supervisor: 

For Clerk's Use Only:

140888