

File No. 151163 Committee Item No. 11  
Board Item No. \_\_\_\_\_

**COMMITTEE/BOARD OF SUPERVISORS**  
AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight Date December 3, 2015

Board of Supervisors Meeting Date \_\_\_\_\_  
Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

**OTHER** (Use back side if additional space is needed)

- COMMITTEE REPORT REQUEST - 11/24/2015
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Completed by: Erica Major Date November 25, 2015  
Completed by: \_\_\_\_\_ Date \_\_\_\_\_

1 [Settlement of Lawsuit - New Cingular Wireless, LLC, Donald Sipple, John Simon, Kark  
2 Simonsen, and Christopher Jacobs - \$3,038,832]

3 **Ordinance authorizing settlement of the lawsuit filed by New Cingular Wireless, LLC,**  
4 **Donald Sipple, John Simon, Karl Simonsen, and Christopher Jacobs against the City**  
5 **and County of San Francisco for \$3,038,832; the lawsuit was filed on May 27, 2011, in**  
6 **Los Angeles Superior Court, Case No. BC462270; entitled Donald Sipple, et al. v. City**  
7 **Of Alameda, et al.; other material terms of said settlement are dismissal of the cross-**  
8 **complaint filed by the City and County of San Francisco against New Cingular**  
9 **Wireless, LLC, and AT&T Mobility, LLC.**

10  
11 Be it ordained by the People of 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 action entitled Donald Sipple, et al. v. City Of  
14 Alameda, et al., Los Angeles Superior Court, Case No. BC462270 by the payment of  
15 \$3,038,832 and by dismissal of the cross-complaint filed in the same action by the City and  
16 County of San Francisco against New Cingular Wireless LLC and AT&T Mobility LLC.

17 Section 2. The above-named action was filed in Los Angeles Superior Court on  
18 May 27, 2011, and the following parties were named in the lawsuit: Plaintiffs New Cingular  
19 Wireless LLC, Donald Sipple, John Simon, Karl Simonsen, and Christopher Jacobs;  
20 Defendants City and County of San Francisco, City of Alameda, Alameda County, City of  
21 Albany, City of Alhambra, City of Arcadia, City of Arcata, City of Baldwin Park, City of  
22 Beaumont, City of Bell, City of Bellflower, City of Benecia, City of Berkeley, City of Burbank,  
23 City of Calabasas, City of Cathedral, City of Ceres, City of Chico, City of Chula Vista, City of  
24 Citrus Heights, City of Claremont, City of Colton, City of Compton, City of Covina, City of  
25

1 Cudahy, Culver City, City of Cupertino, Daly City, City of Desert Hot Springs, City of Dinuba,  
2 City of Downey, City of East Palo Alto, City of El Cerrito, City of El Monte, City of El Segundo,  
3 City of Emeryville, City of Eureka, City of Exeter, City of Fairfax, City of Fairfield, City of  
4 Gardena, City of Gilroy, City of Glendale, City of Gonzales, City of Greenfield, City of Grover  
5 Beach, City of Guadalupe, City of Gustine, City of Hawthorne, City of Hayward, City of  
6 Hercules, City of Hermosa Beach, City of Holtville, City of Huntington Park, City of Huntington  
7 Beach, City of Huron, City of Indio, City of Inglewood, City of Irwindale, City of La Habra, City  
8 of Lakewood, City of La Palma, City of La Verne, City of Lawndale, City of Lindsey, City of  
9 Long Beach, City of Los Alamitos, City of Los Altos, City of Los Angeles, Los Angeles County,  
10 City of Lynwood, City of Malibu, City of Mammoth Lakes, City of Maywood, City of Menlo  
11 Park, City of Modesto, City of Montclair, City of Monterey, City of Monterey Park, City of  
12 Moreno Valley, City of Mountain View, City of Norwalk, City of Oakland, City of Orange Cove,  
13 City of Oroville, City of Pacific Grove, City of Palm Springs, City of Palo Alto, City of  
14 Paramount, City of Pasadena, City of Pico Rivera, City of Piedmont, City of Pinole, City of  
15 Placentia, City of Pleasant Hill, City of Pomona, City of Port Hueneme, City of Porterville, City  
16 of Rancho Palos Verdes, City of Redondo Beach, Redwood City, City of Rialto, City of  
17 Richmond, City of Riverside, City of Sacramento, City of Salinas, City of San Bernardino, City  
18 of San Buenaventura (Ventura), City of San Gabriel, City of San Jose, City of San Leandro,  
19 City of San Luis Obispo, City of San Marino, City of San Pablo, City of Sanger, City of Santa  
20 Ana, City of Santa Barbara, City of Santa Cruz, City of Santa Monica, City of Seal Beach, City  
21 of Seaside, City of Sierra Madre, City of Soledad, City of South Pasadena, City of Stanton,  
22 City of Stockton, City of Sunnyvale, City of Torrance, City of Tulare, City of Waterford, City of  
23 Watsonville, City of Westminster, City of Whittier, City of Winters, and City of Woodlake;  
24 Cross-Defendants New Cingular Wireless LLC and AT&T Mobility LLC.  
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APPROVED AS TO FORM AND  
RECOMMENDED:

DENNIS J. HERRERA  
City Attorney



RONALD P. FLYNN  
Chief Deputy City Attorney

FUNDS AVAILABLE:



BEN ROSENFELD  
Controller

RECOMMENDED:

Treasurer/Tax Collector



JOSE CISNEROS  
Treasurer

n:\taxlit\li\2015\111209\01059458.doc

ORIG - COB  
GAO, Leg Reg

Member, Board of Supervisors  
District 7



City and County of San Francisco

NORMAN YEE

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DATE: 11/24/2015

TO: Angela Calvillo  
Clerk of the Board of Supervisors

FROM: Supervisor Norman Yee *NY*  
Chairperson

RE: Government Audit and Oversight Committee  
COMMITTEE REPORTS

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RECEIVED  
MANAGEMENT SERVICES  
SECTION 10  
NOV 24 PM 4:01  
AK

Pursuant to Board Rule 4.20, as Chair of the Government Audit and Oversight Committee, I have deemed the following matters are of an urgent nature and request they be considered by the full Board on December 8, 2015, as Committee Reports:

**151192 Agreement - Owners' Association for Administration/Management of Greater Rincon Hill Community Benefit District**

Resolution approving an agreement with the nonprofit Owners' Association for administration/management of the established property-based Community Benefit District known as the "Greater Rincon Hill Community Benefit District," pursuant to California Streets and Highways Code, Section 36651, for a period commencing upon Board approval, through June 30, 2030.

**151108 Agreement - Owners' Association for Administration/Management of Yerba Buena Community Benefit District**

Resolution approving an agreement with the nonprofit Owners' Association for administration/management of the established property-based Community Benefit District known as the "Yerba Buena Community Benefit District," pursuant to California Streets and Highways Code, Section 36651, for a period commencing upon Board approval, through June 30, 2030.

**151189 Agreement - Owners' Association for Administration/Management of Dogpatch & Northwest Potrero Hill Green Benefit District**

Resolution approving an agreement with the nonprofit Owners' Association for administration/management of the established property-based Green Benefit District known as the "Dogpatch & Northwest Potrero Hill Green Benefit District," pursuant to California Streets and Highway Code, Section 36651, for a period commencing upon Board approval, through June 30, 2025.

**151065 Mills Act Historical Property Contract - 722 Steiner Street**

Resolution approving a Mills Act historical property contract between The Trust of Côme Lague and Charlene Li, the owners of 722 Steiner Street, and the City and County of San Francisco, under Administrative Code, Chapter 71; and authorizing the Planning Director and the Assessor to execute the historical property contract.

**151066 Mills Act Historical Property Contract - 807 Montgomery Street**

Resolution approving a Mills Act historical property contract between 807 Montgomery, LLC, the owners of 807 Montgomery Street, and the City and County of San Francisco, under Administrative Code, Chapter 71; and authorizing the Planning Director and the Assessor to execute the historical property contract.

**151067 Mills Act Historical Property Contract - 761 Post Street**

Resolution approving a Mills Act historical property contract between RLJC San Francisco LP, the owners of 761 Post Street, and the City and County of San Francisco, under Administrative Code, Chapter 71; and authorizing the Planning Director and the Assessor to execute the historical property contract.

**150985 Settlement of Lawsuit - John Russo Industrial Sheetmetal, Inc., dba JRI, Inc. - \$2,100,000]**

Ordinance authorizing settlement of the lawsuit filed by John Russo Industrial Sheetmetal, Inc., a California corporation, dba JRI, Inc. ("JRI") against the City and County of San Francisco for \$2,100,000 and other material terms; the lawsuit was filed on June 17, 2010, in Alameda County Superior Court Case No. HG10520625, entitled JRI, Inc. v. City and County of San Francisco, et al., related to the contract for the manufacture and delivery of two Aircraft Rescue Fire Fighting vehicles for use at San Francisco International Airport ("Airport"); other material terms of said settlement include that the City will convert the prior termination of JRI's contract for default to a termination for convenience; for five years, JRI will not bid on any Airport contracts, including as a subcontractor, or challenge any Airport procurements; and the parties mutually release all claims relating to the contract or the lawsuit.

X

**151163 Settlement of Lawsuit - New Cingular Wireless, LLC, Donald Sipple, John Simon, Kark Simonsen, and Christopher Jacobs - \$3,038,832**

Ordinance authorizing settlement of the lawsuit filed by New Cingular Wireless, LLC, Donald Sipple, John Simon, Karl Simonsen, and Christopher Jacobs against the City and County of San Francisco for \$3,038,832; the lawsuit was filed on May 27, 2011, in Los Angeles Superior Court, Case No. BC462270; entitled Donald Sipple, et al. v. City Of Alameda, et al.; other material terms of said settlement are dismissal of the cross-complaint filed by the City and County of San Francisco against New Cingular Wireless, LLC, and AT&T Mobility, LLC.

These matters will be heard in the Government Audit and Oversight Committee on December 3, 2015, at 10:30 a.m.

LEGISLATION RECEIVED CHECKLIST

151163

Date 11/9/15

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

RECEIVED  
 BOARD OF SUPERVISORS  
 SAN FRANCISCO  
 2015 NOV -9 AM 11:50

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

City Attorney