

1 [Closed Session - Anticipated Litigation - Establishing Community Facilities District 2014-1
2 (Transbay Transit Center)]

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 relating to the potential formation of Special Tax District 2014-1,**
6 **also known as the Transbay Transit Community Facilities District; in which the City is a**
7 **potential defendant; pursuant to California Government Code, Section 54956.9(a), and**
8 **San Francisco Administrative Code, Section 67.10(d)(2), which permits this closed**
9 **session because discussion in open session concerning this matter would likely and**
10 **unavoidably prejudice the position of the City in anticipated litigation.**

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12 WHEREAS, California Government Code, Section 54956.9(a), and San Francisco
13 Administrative Code, Section 67.10(d)(2), allow the Board of Supervisors to convene in closed
14 session to confer with or receive advice from Legal Counsel regarding existing litigation; and

15 WHEREAS, In the opinion of the Board of Supervisors on the advice of the City
16 Attorney, based on existing facts and circumstances, there is a significant exposure to
17 litigation against the City and County of San Francisco if Special Tax District 2014-1 is
18 formed; and

19 WHEREAS, On September 9, 2014, the Board of Supervisors will consider a
20 Resolution (Board File No. 140816) and related items calling for a special election in the City
21 and County of San Francisco to form the Transbay Transit Center Community Facilities
22 District 2014-1; now, therefore, be it

23 MOVED, That the Board of Supervisors convene in closed session on September 9,
24 2014, for the purpose of conferring with, or receiving advice from, Legal Counsel regarding

1 anticipated litigation relating to the potential formation of the Transbay Transit Center
2 Community Facilities District 2014-1; and, be it

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

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