

1 [Closed Session - Anticipated Litigation - Establishing a Homeownership Stabilization  
2 Authority]

3 **Motion that the Board of Supervisors convene in closed session on October 7, 2014,**  
4 **for the purpose of conferring with, or receiving advice from the City Attorney regarding**  
5 **anticipated litigation relating to the potential negotiation or adoption of a Joint Powers**  
6 **Agreement with the City of Richmond to establish a Homeownership Stabilization**  
7 **Authority to assist homeowners with troubled mortgages, in which the City is a**  
8 **potential defendant; pursuant to California Government Code, Section 54956.9(a), and**  
9 **San Francisco Administrative Code, Section 67.10(d)(2), which permit this closed**  
10 **session because discussion in open session concerning this matter would likely and**  
11 **unavoidably prejudice the position of the City in anticipated 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 legal counsel regarding anticipated litigation; and

16 WHEREAS, In the opinion of the Board of Supervisors on the advice of the City  
17 Attorney, based on existing facts and circumstances, there is a significant exposure to  
18 litigation against the City and County of San Francisco relating to the potential negotiation and  
19 adoption of a Joint Powers Agreement with the City of Richmond to establish a

20 Homeownership Stabilization Authority to assist homeowners with troubled mortgages; and

21 WHEREAS, On October 7, 2014, the Board of Supervisors will consider a Resolution  
22 (Board File No. 140709) directing the Director of the Mayor's Office of Housing, in consultation  
23 with the City Attorney's Office, to negotiate a joint exercise of powers agreement with the City  
24 of Richmond and possibly other public agencies to be presented to the Board for  
25 consideration at a future date; now, therefore, be it

1           MOVED, That the Board of Supervisors convene in closed session on October 7, 2014,  
2     for the purpose of conferring with, or receiving advice from, legal counsel relating to the  
3     potential negotiation and adoption of a Joint Powers Agreement with the City of Richmond to  
4     establish a Homeownership Stabilization Authority to assist homeowners with troubled  
5     mortgages; and be it

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