File No	150330	Committee Item No. <u>3</u> Board Item No. 2						
		Board Item No 2						
COMMITTEE/BOARD OF SUPERVISORS AGENDA PACKET CONTENTS LIST								
Committee:	Government Audit and Ov		_	May				
Board of Su Cmte Board	Motion Resolution Ordinance Legislative Digest Budget and Legislative A Youth Commission Repo Introduction Form Department/Agency Cove MOU Grant Information Form Grant Budget Subcontract Budget Contract/Agreement Form 126 – Ethics Comm	analyst Report ort er Letter and/o		<u>U</u> AJ	<u>19</u>	2415		
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OTHER (Use back side if additional space is needed)								
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FILE NO. 150330

ORDINANCE ... J.

[Settlement of Lawsuit - FlightCar Incorporated - City to Receive \$230,000]

Ordinance authorizing settlement of lawsuit filed by the City Attorney on behalf of People of the State of California against FlightCar Incorporated and the Cross-Complaint filed by FlightCar Incorporated against the City and County of San Francisco; for the payment of \$230,000 by FlightCar Incorporated to the City; the underlying lawsuit was filed on May 31, 2013, in San Francisco Superior Court, Case No. CGC-13-531807, entitled <u>People of the State of California v. FlightCar, Inc.</u> and later changed venue to Santa Clara County Superior Court, Case No. 1-13-CV-251634; FlightCar Incorporated's Cross-Complaint, entitled <u>FlightCar Incorporated v. City and</u> County of San Francisco, with the same case number, was filed on February 4, 2014.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Pursuant to Charter, Section 6.102(5), the Board of Supervisors hereby authorizes the City Attorney to settle the action and cross-complaint entitled <u>People of the State of California against FlightCar Incorporated</u> and <u>FlightCar Incorporated v. City and County of San Francisco</u>, Santa Clara Superior Court, Case No. 1-13-CV-251634 for the payment of \$230,000 by FlightCar Incorporated to the City and County of San Francisco. Additional settlement terms include a requirement that FlightCar Incorporated apply for and secure a permit as an Off-Airport Rental Car Company with San Francisco International Airport.

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Section 2. The above-named complaint was filed in San Francisco Superior Court on May 31, 2013 and then changed venue to Santa Clara County Superior Court; the crosscomplaint was filed in Santa Clara County Superior Court; the following parties were named in these actions: People of the State of California (Plaintiff), FlightCar Incorporated (Defendant and Cross-Complainant), and City and County of San Francisco (Cross-Defendant). The San Francisco International Airport and John L. Martin were both initially named as Cross-Defendants, but were dismissed by Cross-Complainants.

APPROVED AS TO FORM AND **RECOMMENDED: RECOMMENDED:** San Francisco International Airport **DENNIS J. HERRERA** City Attorney YVONNE R. MERE JOHN L. MARTIN Chief Attorney Director of San Francisco International Airport Neighborhood and Resident Protection Division

City Attorney BOARD OF SUPERVISORS

GISLATION	RECEIVED	CHECKLINT

130/15 Date

File Number (if applicable)

50330

Legislation for Introduction (NEW)

Legislation Pending in Committee (AMENDED)

[] Legislation for Board Agenda (AMENDED)

►►► Legislation Clerk ►►► Committee Clerk

► ► Dep Clerk, Legislative Div

Supervisor, Mayor, and Departmental Submittals

Grant Ordinance

- [] Legislation: Original and 2 hard copies and 1 electronic copy in word format
- [] Signature: Department Head, Mayor or the Mayor's designee, plus the Controller
- [] Back-up materials: 2 full sets (see below) and 1 electronic copy in pdf format*
 - [] Cover letter (original and 1 hard copy)
 - [] Grant budget/application
 - [] Grant information form, including disability checklist
 - [] Letter of Intent or grant award letter from funding agency
 - [] Contract, Leases/Agreements (if applicable)
 - [] Ethics Form 126 (if applicable)*Word format

[] E-Copy of legislation/back-up materials: Sent to BOS.Legislation@sfgov.org

Ordinance

Legislation: Original and 2 hard copies and 1 electronic copy in word format Signature: City Attorney (For Settlement of Lawsuits - City Attorney, Department

- ture: City Attorney (For Settlement of Lawsuits City Attorney, Department Head, Controller, Commission Secretary)
- Back-up materials: 2 hard copies (see below) and 1 electronic copy in pdf format Cover letter (original and 1 hard copy)
 - Settlement Report/Agreement (for settlements)
 - [] Other (Explain)

E-Copy of legislation/back-up materials: Sent to BOS.Legislation@sfgov.org

Grant Resolution

- [] Legislation: Original and 2 hard copies and 1 electronic copy in word format
- [] Signature: Department Head, Mayor or the Mayor's designee, plus the Controller
- [] Back-up materials: 2 hard copies (see below) and 1 electronic copy in pdf format*
 - [] Cover letter (original and 1 hard copy)
 - [] Grant budget/application
 - [] Grant information form, including disability checklist
 - [] Letter of Intent or grant award letter from funding agency
 - [] Contract, Leases/Agreements (if applicable)
 - [] Ethics Form 126 (if applicable)*Word format

[] E-Copy of legislation/back-up materials: Sent to BOS.Legislation@sfgov.org

Resolution

- [] Legislation: Original and 2 hard copies and 1 electronic copy in word format
- [] Signature: None (Required for Settlement of Claims City Attorney, Department Head, Controller, Commission Secretary)
- [] Back-up materials: 2 full sets (see below) and 1 electronic copy in pdf format
 - [] Cover letter (original and 1 hard copy)
 - [] Settlement Report/Agreement (for settlements)
 - [] Other (Explain)

[] E-Copy of legislation/back-up materials: Sent to BOS.Legislation@sfgov.org

Name and Telephone Number

Clerk's Office/Forms/Legislation Received Checklist (6/2013) for more help go to: sfbos.org/about the board/general/legislative process handbook