

File No. 160576 Committee Item No. 18  
 Board Item No. 3

**COMMITTEE/BOARD OF SUPERVISORS**

AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight Date June 16, 2016

Board of Supervisors Meeting Date JUNE 28 2016

Cmte Board

- |                                     |                                     |  |
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| <input type="checkbox"/>            | <input type="checkbox"/>            | Motion                                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Resolution                                   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance                                    |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Budget and Legislative Analyst Report        |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Youth Commission Report                      |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form                            |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Department/Agency Cover Letter and/or Report |
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| <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"/>            | Form 126 – Ethics Commission                 |
| <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)**

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Completed by: Erica Major Date June 10, 2016  
 Completed by: JAM Date 6/21/2016

1 [Settlement of Lawsuits - Justice Operating Co. LLC, and Justice Investors LP, Kearny Street  
2 Employers LLC - \$1,450,000]

3 **Ordinance authorizing settlement of two lawsuits filed by Justice Investors LP, Kearny**  
4 **Street Employers LLC, and Justice Operating Co. LLC, against the City and County of**  
5 **San Francisco for \$1,450,000; the first lawsuit was filed on July 16, 2015, in San**  
6 **Francisco Superior Court, Case No. CGC-15-546897; entitled Justice Investors LP,**  
7 **Justice Operating Co. LLC v. City and County of San Francisco; the second lawsuit**  
8 **was filed on October 19, 2015, in San Francisco Superior Court, Case No. CPF-15-**  
9 **514532; entitled Justice Investors LP, Kearny Street Employers LLC v. City and County**  
10 **of San Francisco; these are suits for refund of Real Property Transfer Tax, Transient**  
11 **Occupancy Tax and Tourism Improvement District Fees; other material term of said**  
12 **settlement is San Francisco's dismissal of its cross-complaint in Case No. CPF-15-**  
13 **514532.**

14  
15 Be it ordained by the People of the City and County of San Francisco:

16 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby  
17 authorizes the City Attorney to settle the actions entitled Justice Investors LP, Justice  
18 Operating Co. LLC v. City and County of San Francisco, San Francisco Superior Court Case  
19 No. CGC-15-546897, and Justice Investors LP, Kearny Street Employers LLC v. City and  
20 County of San Francisco, San Francisco Superior Court Case No. CPF-15-514532, by the  
21 payment of \$1,450,000 and San Francisco's dismissal of its cross-complaint in Case No.  
22 CPF-15-514532. These are suits for refund of Real Property Transfer Tax, Transient  
23 Occupancy Tax and Tourism Improvement District Fees.

24 Section 2. The above-named actions were filed in San Francisco Superior Court on  
25 July 16, 2015 and October 19, 2015, respectively, and the following parties were named in the

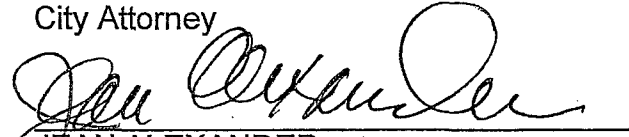
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lawsuits: as plaintiffs, Justice Investors LP, Justice Operating Co. LLC, Kearny Street Employers LLC; as defendant, City and County of San Francisco; as cross-complainant, City and County of San Francisco; and as cross-defendants, Kearny Street Employers LLC and Geoffrey Palermo, an individual.

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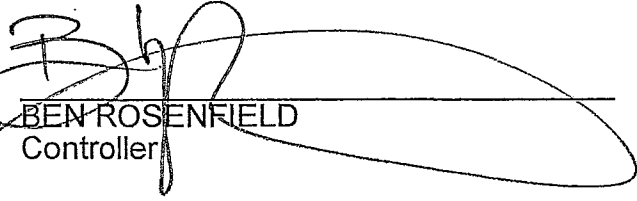
APPROVED AS TO FORM AND  
RECOMMENDED:

DENNIS J. HERRERA  
City Attorney



JEAN ALEXANDER  
Chief Tax Attorney

FUNDS AVAILABLE:



BEN ROSENFELD  
Controller

RECOMMENDED:

OFFICE OF THE ASSESSOR-RECORDER



CARMEN CHU  
Assessor-Recorder

OFFICE OF THE TREASURER-TAX  
COLLECTOR



JOSE CISNEROS  
Treasurer-Tax Collector

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**LEGISLATION RECEIVED CHECKLIST**

Date 5/18/16 File-Number (if applicable) \_\_\_\_\_

- Legislation for Introduction (NEW)
- Legislation Pending in Committee (AMENDED)
- Legislation for Board Agenda (AMENDED)

- ▶▶▶ Legislative Clerk
- ▶▶▶ Committee Clerk
- ▶▶▶ Deputy Clerk

RECEIVED  
 BOARD OF SUPERVISORS  
 SAN FRANCISCO  
 2016 MAY 18 PM 3:12

**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**

**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  
 Name and Telephone Number      Department

Clerk's Office/Forms/Legislation Received Checklist (1/2015) for more help go to: [sfbos.org/about/the-board/general/legislative-process-handbook](http://sfbos.org/about/the-board/general/legislative-process-handbook)

