

File No. 170575

Committee Item No. _____

Board Item No. 56

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____

Date: _____

Board of Supervisors Meeting

Date: May 16, 2017

Cmte Board

- | | | |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input 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 type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <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

| | | |
|--------------------------|--------------------------|-------|
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |

Prepared by: Lisa Lew

Date: May 11, 2017

Prepared by: _____

Date: _____

1 [Calling from Committee - Committee of the Whole and Closed Session - Settlement of
2 Lawsuit and Tolling Agreement with Airbnb, Inc. and HomeAway.com, Inc. - May 23, 2017]

3 **Motion calling from the Government Audit and Oversight Committee the proposed**
4 **Resolution (File No. 170507) endorsing settlement of the lawsuit filed by Airbnb, Inc.**
5 **and HomeAway.com, Inc. against the City and County of San Francisco, entitled**
6 **Airbnb, Inc., et al. v. City and County of San Francisco, and authorizing a tolling**
7 **agreement in that lawsuit; scheduling the Board of Supervisors to sit as a Committee**
8 **of the Whole at the meeting on May 23, 2017 at 4:00 p.m. to hold a public hearing to**
9 **consider the proposed Resolution; and scheduling a closed session of the Board of**
10 **Supervisors at the same meeting for the purpose of conferring with, or receiving advice**
11 **from, the City Attorney regarding that existing litigation in which the City is a**
12 **defendant, pursuant to California Government Code, Section 54956.9(a), and San**
13 **Francisco Administrative Code, Section 67.10(d)(1).**

14
15 **MOVED, That under Rule 3.37 of the Board's Rules of Order, the Board hereby orders**
16 **that the proposed Resolution (File No. 170507) endorsing settlement of the lawsuit filed by**
17 **Airbnb, Inc. and HomeAway.com, Inc. against the City and County of San Francisco, entitled**
18 **Airbnb, Inc., et al. v. City and County of San Francisco, be called from the Government Audit**
19 **and Oversight Committee and be returned to the Board for consideration at the regular Board**
20 **of Supervisors meeting on May 23, 2017; and, be it**

21 **FURTHER MOVED, That the Board of Supervisors convene as a Committee of the**
22 **Whole on May 23, 2017, at 4:00 p.m., to hold a public hearing on the proposed Resolution;**
23 **and, be it**

24 **FURTHER MOVED, That the Board of Supervisors convene in closed session on May**
25 **23, 2017, for the purpose of conferring with, or receiving advice from, the City Attorney**

1 regarding existing litigation relating to the lawsuit filed on June 27, 2016, in the United States
2 District Court for the Northern District of California, Case No. 16-cv-03615, entitled Airbnb,
3 Inc., et al. v. City and County of San Francisco, challenging Ordinance Nos. 104-16 and 178-
4 16, which regulate hosting platforms that provide booking services for short-term residential
5 rentals, and in which the City is a defendant; California Government Code, Section
6 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(1), permit this closed
7 session because discussion in open session concerning this matter would likely and
8 unavoidably prejudice the position of the City in the existing litigation.

Introduction Form

By a Member of the Board of Supervisors or the Mayor

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2017 MAY - 5 PM 4:10
Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [] inquires"
- 5. City Attorney request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.

Sponsor(s):

President London N. Breed

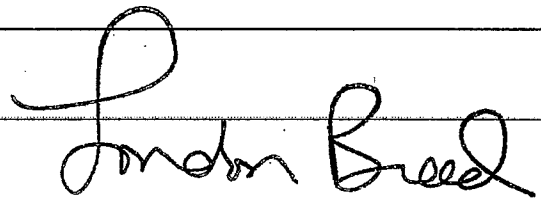
Subject:

Calling from Committee - Committee of the Whole and Closed Session - Settlement of Lawsuit and Tolling Agreement with Airbnb, Inc. and HomeAway.com, Inc - May 23, 2017

The text is listed below or attached:

[]

Signature of Sponsoring Supervisor: _____



For Clerk's Use Only: