

File No. 170753

Committee Item No. 10

Board Item No. 7

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight

Date: July 17, 2017

Board of Supervisors Meeting:

Date: July 25, 2017

Cmte Board

- | | | |
|-------------------------------------|-------------------------------------|--|
| <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 type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER

- | | | |
|-------------------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Committee Report Sent Memo - July 17, 2017</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Committee Report Request Memo - July 12, 2017</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |

Prepared by: John Carroll

Date: July 14, 2017

Prepared by: John Carroll

Date: July 20, 2017

1 [Settlement of Lawsuit - Pedro Figueroa Zarceno - \$190,000]

2
3 **Ordinance authorizing settlement of the lawsuit filed by Pedro Figueroa Zarceno**
4 **against the City and County of San Francisco for \$190,000; the lawsuit was filed on**
5 **January 17, 2017, in United States District Court for the Northern District of California,**
6 **Case No. 17-cv-00229 JST; entitled Pedro Figueroa Zarceno v. City and County of San**
7 **Francisco, et al.; the lawsuit involves unlawful arrest.**

8
9 Be it ordained by the People of the City and County of San Francisco:

10 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby
11 authorizes the City Attorney to settle the action entitled Pedro Figueroa Zarceno v. City and
12 County of San Francisco, et al., United States District Court for the Northern District of
13 California, Case No. 17-cv-00229 JST by the payment of \$190,000. The lawsuit involves
14 unlawful arrest.

15 Section 2. The above-named action was filed in United States District Court on
16 January 17, 2017, and the following parties were named in the lawsuit: Plaintiff Pedro
17 Figueroa Zarceno; Defendants City and County of San Francisco; Acting Chief of Police
18 Toney Chaplin; Sheriff Vicki Hennessey; Sergeant Trevor Kelly; Sergeant Eric Balmy; Officer
19 Kevin Clifford; Nicole Chambers; Dayna Thibeaux.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

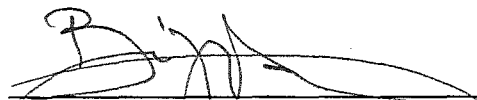
APPROVED AS TO FORM AND
RECOMMENDED:

DENNIS J. HERRERA
City Attorney



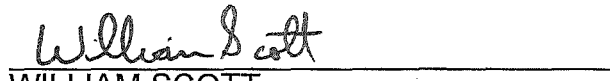
CHERYL ADAMS
Chief Trial Deputy

FUNDS AVAILABLE:



BEN ROSENFELD
Controller

RECOMMENDED:

SAN FRANCISCO POLICE DEPARTMENT

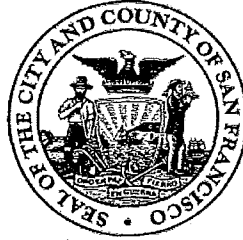

WILLIAM SCOTT
Chief

APPROVED:


RACHEL KILSHAW
Secretary, San Francisco Police Commission

n:\it\i\2017\170788\01189017.docx

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

GOVERNMENT AUDIT AND OVERSIGHT COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Jane Kim, Chair
Government Audit and Oversight Committee

FROM: John Carroll, Assistant Clerk, Government Audit and Oversight Committee

DATE: July 17, 2017

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**
Tuesday, July 18, 2017

The following file should be presented as a **COMMITTEE REPORT** at the Board meeting, Tuesday, July 18, 2017. This item was acted upon at the Government Audit and Oversight Committee Meeting on July 17, 2017 at 12:00 p.m., by the votes indicated.

Item No. 50 File No. 170753

Ordinance authorizing settlement of the lawsuit filed by Pedro Figueroa Zarceno against the City and County of San Francisco for \$190,000; the lawsuit was filed on January 17, 2017, in United States District Court for the Northern District of California, Case No. 17-cv-00229 JST; entitled Pedro Figueroa Zarceno v. City and County of San Francisco, et al.; the lawsuit involves unlawful arrest.

RECOMMENDED AS COMMITTEE REPORT:

Vote: Supervisor Jane Kim - Aye
Supervisor Aaron Peskin - Aye
Supervisor London Breed - Aye

cc: Board of Supervisors
Angela Calvillo, Clerk of the Board
Alisa Somera, Legislative Deputy Director
Jon Givner, Deputy City Attorney

Member, Board of Supervisors
District 6



City and County of San Francisco

COB, Leg Rep,
CRO Clerk

JANE KIM

金貞妍

DATE: July 12, 2017

TO: Angela Calvillo
Clerk of the Board of Supervisors

FROM: Supervisor Kim
Chairperson

RE: Government Audit and Oversight Committee
COMMITTEE REPORT

2017 JUL 13 AM 8:10
S

Pursuant to Board Rule 4.20, as Chair of the Government Audit and Oversight Committee, I have deemed the following matters are of an urgent nature and request they be considered by the full Board on Tuesday, July 18, 2017, as Committee Reports:

File No. 170727 Settlement of Lawsuit - Alfred Fred Pittman - \$30,000
Ordinance authorizing settlement of the lawsuit filed by Alfred Fred Pittman against the City and County of San Francisco for \$30,000; the lawsuit was filed on June 20, 2013, in United States District Court, Case No. 13-CV-02095; entitled Alfred Fred Pittman v. City and County of San Francisco; the lawsuit involves alleged civil rights violations.

File No. 170728 Settlement of Lawsuit - Barbara Burke and Miles Burke - \$65,000
Ordinance authorizing settlement of the lawsuit filed by Barbara Burke and Miles Burke against the City and County of San Francisco for \$65,000; the lawsuit was filed on May 20, 2015, in San Francisco Superior Court, Case No. CGC-15-545917; entitled Barbara Burke and Miles Burke v. City and County of San Francisco, Does 1-10; the lawsuit involves personal injury from an alleged dangerous condition of public property.

File No. 170729 Settlement of Lawsuit - San Francisco Apartment Association, et al. - \$130,440
Ordinance authorizing settlement of the lawsuit filed by San Francisco Apartment Association, Coalition For Better Housing, and San Francisco Association of Realtors against the City and County of San Francisco for \$130,440; the lawsuit was filed on January 28, 2014, in San Francisco Superior Court, Case No. CPF-14-513452; entitled San Francisco Apartment Association, et al. v. City and County of San Francisco; the lawsuit involves a claim for attorney's fees and costs following Petitioners' challenge to Section 317(e)(4) of Ordinance No. 287-13 on the grounds it is preempted by the state Ellis Act.

Member, Board of Supervisors
District 6



City and County of San Francisco

JANE KIM

金貞妍

File No. 170730 Settlement of Lawsuit - Jose H. Lima Osorio - \$57,500

Ordinance authorizing settlement of the lawsuit filed by Jose H. Lima Osorio against the City and County of San Francisco for \$57,500; the lawsuit was filed on March 9, 2016, in San Francisco Superior Court, Case No. CGC-16-550862; entitled Jose H. Lima Osorio v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injuries when plaintiff was struck by a vehicle while in the crosswalk.

File No. 170731 Settlement of Lawsuit - BHR Operations LLC, dba Crowne Plaza and dba Holiday Inn Fisherman's Wharf, et al. - \$1,613,554.74

Ordinance authorizing settlement of two lawsuits filed by BHR Operations LLC, dba Crowne Plaza and dba Holiday Inn Fisherman's Wharf, et al. against the City and County of San Francisco for \$1,613,554.74 to be distributed as follows: BHR Operations LLC \$379,969.68, Hotel Nikko of San Francisco Inc. \$201,741.40, Datam S.F. LLC \$277,953.69, RP/Kinetic Parc 55 Owner, LLC \$25,601.63, S.F. Hilton LLC \$447,301.52, W2005 Argent Hotel Realty LLC \$42,857.19, British Airways Plc \$163,369.38, Cathay Pacific Airways Ltd \$74,760.25; the lawsuits were filed in San Francisco Superior Court, as Case No. CGC-10-498514 entitled BHR Operations LLC, dba Crowne Plaza and dba Holiday Inn Fisherman's Wharf, et al. v. City and County of San Francisco, et al. filed on April 9, 2010, and Case No. CGC-10-505526 entitled British Airways Plc v. City and County of San Francisco, et al. filed on November 19, 2010; other material terms of the settlement include the City's retaining transient occupancy taxes collected by the Tax Collector, and the plaintiffs' agreement to pay transient occupancy taxes in the future according to the Tax Collector's regulations; the lawsuits involve a dispute between the City and the hotel and airline industry about whether airline crew rooms are exempt from the City's transient occupancy tax.



JANE KIM

金貞妍

- File No. 170732 Settlement of Lawsuit - Betsy Isabel Ayala - \$75,000**
Ordinance authorizing settlement of the lawsuit filed by Betsy Isabel Ayala against the City and County of San Francisco for \$75,000; the lawsuit was filed on July 7, 2015, in San Francisco Superior Court, Case No. CGC-15-546742; entitled Betsy Isabel Ayala v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City street.
- File No. 170752 Settlement of Lawsuit - Zhen Qiang Zhang - \$75,000**
Ordinance authorizing settlement of the lawsuit filed by Zhen Qiang Zhang against the City and County of San Francisco for \$75,000; the lawsuit was filed on November 13, 2014, in San Francisco Superior Court, Case No. CGC-14-542708; entitled Zhen Qiang Zhang v. City and County of San Francisco, et al.; the lawsuit involves an employment dispute.
- File No. 170753 Settlement of Lawsuit - Pedro Figueroa Zarceno - \$190,000**
Ordinance authorizing settlement of the lawsuit filed by Pedro Figueroa Zarceno against the City and County of San Francisco for \$190,000; the lawsuit was filed on January 17, 2017, in United States District Court for the Northern District of California, Case No. 17-cv-00229 JST; entitled Pedro Figueroa Zarceno v. City and County of San Francisco, et al.; the lawsuit involves unlawful arrest.
- File No. 170754 Settlement of Lawsuit - Stuart Kohler - \$75,000**
Ordinance authorizing settlement of the lawsuit filed by Stuart Kohler against the City and County of San Francisco for \$75,000; the lawsuit was filed on November 8, 2016, in United States District Court, Case No. 16-CV-6502; entitled Stuart Kohler v. City and County of San Francisco et al.; the lawsuit involves alleged civil rights violations.
- File No. 170794 Settlement of Lawsuit - Sarah Loomis - \$95,000**
Ordinance authorizing settlement of the lawsuit filed by Sarah Loomis against the City and County of San Francisco for \$95,000; the lawsuit was filed on February 19, 2016, in San Francisco Superior Court, Case No. CGC-16-550399; entitled Sarah Loomis v. Nathaniel David Mansker, City and County of San Francisco, et al.; the lawsuit involves alleged personal injury from vehicle collision.

Member, Board of Supervisors
District 6



City and County of San Francisco

JANE KIM

金貞妍

File No. 170795 Settlement of Lawsuit - Sonia Meyerson - \$52,500

Ordinance authorizing settlement of the lawsuit filed by Sonia Meyerson against the City and County of San Francisco for \$52,500; the lawsuit was filed on April 22, 2015, in San Francisco Superior Court, Case No. CGC-15-545451; entitled Sonia Meyerson v. City and County of San Francisco, et al.; the lawsuit involves alleged personal injury on a City street.

File No. 170796 Settlement of Lawsuit - Bernard Sandoval - \$120,000

Ordinance authorizing settlement of the lawsuit filed by Bernard Sandoval against the City and County of San Francisco for \$120,000; the lawsuit was filed on June 25, 2015, in San Francisco Superior Court, Case No. CGC 15-546562; entitled Bernard Sandoval v. City and County of San Francisco; the lawsuit involves an employment dispute.

File No. 170797 Settlement of Lawsuit - Paula Ginsburg - \$225,000

Ordinance authorizing settlement of the lawsuit filed by Paula Ginsburg against the City and County of San Francisco for \$225,000; the lawsuit was filed on February 17, 2016, in San Francisco Superior Court, Case No. CGC-16-550470; entitled Paula Ginsburg v. City and County of San Francisco, and Does 1 to 25, Inclusive; the lawsuit involves alleged personal injury on a City sidewalk adjacent to Alta Plaza Park.

These matter will be heard in the Government Audit and Oversight Committee on July 17, 2017, at 12:00 p.m.

Carroll, John (BOS)

From: Board of Supervisors, (BOS)
Sent: Friday, July 07, 2017 8:40 AM
To: norma.yee@sbcglobal.net
Cc: BOS-Supervisors; Carroll, John (BOS)
Subject: FW: tell me its not true - possible \$190K settlement for police doing their job? File No. 170753

Categories: 170753

Hello,

Thank you for your email. It has been sent to the Board Members and will appear in the Petitions and Communication pages of our July 18, 2017 agenda. Looping in the Government Audit and Oversight Committee Clerk to add it to the official file.

Regards,

Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244
San Francisco, CA 94102-4689
Phone: (415) 554-7703 | Fax: (415) 554-5163
Board.of.supervisors@sfgov.org | 415-554-5184

Please complete a **Board of Supervisors Customer Service Satisfaction form** by clicking [here](#).

The **Legislative Research Center** provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.

From: norma yee [mailto:norma.yee@sbcglobal.net]
Sent: Thursday, July 06, 2017 10:41 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: tell me its not true - possible \$190K settlement for police doing their job?

sf supervisors,

stop the insanity of adding to all the ridiculous lawsuits already plaguing our city.

recind the 'payout for cooperating with ICE in our sanctuary city'. it does NOT make sense to spend our tax dollars in this way when it could be used to help the homeless families/children & veterans.

i do not want families separated due to one's undocumented status either.....but this is dumb.

norma
sf tax payer / voter

Carroll, John (BOS)

From: Board of Supervisors, (BOS)
Sent: Wednesday, July 05, 2017 4:36 PM
To: rdandolo@aol.com
Cc: Carroll, John (BOS)
Subject: FW: Mental illness in city government!

Categories: 170753

Hello,

Thank you for your email. It has been sent to the Board Members and will appear in our Petitions and Communications section of our July 18, 2017 Board Meeting agenda. Looping in the Government Audit and Oversight Committee Clerk to add to the official file.

Regards,

Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244
San Francisco, CA 94102-4689
Phone: (415) 554-7703 | Fax: (415) 554-5163
Board.of.supervisors@sfgov.org | 415-554-5184

Please complete a Board of Supervisors Customer Service Satisfaction form by clicking [here](#).

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.

From: Rich Dandolo [mailto:]
Sent: Saturday, July 01, 2017 6:50 AM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Mental illness in city government!

Respectfully, I have to say I'm absolutely appalled and disgusted that the City of San Francisco would award one hundred and ninety thousand Tax Payer dollars to an Illegal Alien! Enforcing Federal Law is now a crime in San Francisco, with huge rewards given to the real criminals? This is a massive slap in the face to every legal resident of California! When I heard the story on the news last night, it has literally kept me up for most of the night. I couldn't sleep, I was just so angry, outraged and totally baffled. In what bizarre, backwards universe could this ever be logically justified?

Sincerely,

Rich Dandolo
Santa Cruz Suspension
408 Trevethan Ave.
Santa Cruz, CA. 95062
831-460-9434
www.santacruzsuspension.com

Carroll, John (BOS)

From: Board of Supervisors, (BOS)
Sent: Wednesday, July 05, 2017 4:35 PM
To: cardozo4@earthlink.net
Cc: Carroll, John (BOS)
Subject: FW: Pedro Figueroa-Zarceno

Categories: 170753

Hello,

Thank you for your email. It has been sent to the Board Members and will appear in our Petitions and Communications section of our July 18, 2017 Board Meeting agenda. Looping in the Government Audit and Oversight Committee Clerk to add to the official file.

Regards,

Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244
San Francisco, CA 94102-4689
Phone: (415) 554-7703 | Fax: (415) 554-5163
Board.of.supervisors@sfgov.org | 415-554-5184

Please complete a Board of Supervisors Customer Service Satisfaction form by clicking [here](#).

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.

From: cardozo4@earthlink.net [mailto:cardozo4@earthlink.net]
Sent: Saturday, July 01, 2017 3:16 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Pedro Figueroa-Zarceno

I am writing to OPPOSE the payment to Pedro Figueroa-Zarceno.

Linda Cardozo

Carroll, John (BOS)

From: Board of Supervisors, (BOS)
Sent: Wednesday, July 05, 2017 4:33 PM
To: hawthornep@hotmail.com
Cc: Carroll, John (BOS)
Subject: FW: NO SETTLEMENT FOR FIGEROA-ZARCENO!

Categories: 170753

Hello,

Thank you for your email. It has been sent to the Board Members and will appear in our Petitions and Communications section of our July 18, 2017 Board Meeting agenda. Looping in the Government Audit and Oversight Committee Clerk to add to the official file.

Regards,

From: Pam Hawthorne [mailto:hawthornep@hotmail.com]
Sent: Sunday, July 02, 2017 5:24 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: NO SETTLEMENT FOR FIGEROA-ZARCENO!

Illegal immigrants have no right to sue our government. They are here ILLEGALLY.
CA natives like me did not vote for our state to be a sanctuary state nor the city of San Francisco to be one either. I do not agree to have any of my tax monies be paid to illegal immigrants. Why do illegal immigrants get free services that CA citizens do not? So tired of this nonsense. Smarten up!

You all are looked upon as fools from all over the world! STOP THIS INSANITY!

Pam Hawthorne
CA native

Carroll, John (BOS)

From: Board of Supervisors, (BOS)
Sent: Wednesday, July 05, 2017 3:46 PM
To: mr.zydeco@yahoo.com
Cc: Carroll, John (BOS)
Subject: FW: The story of Mr Figueroa-Zarcena

Categories: 170753

Hello,

Thank you for your email. It has been sent to the Board Members and will appear in our Petitions and Communications section of our July 18, 2017 Board Meeting agenda. Looping in the Government Audit and Oversight Committee Clerk to add to the official file.

Regards,

Board of Supervisors

1 Dr. Carlton B. Goodlett Place, City Hall, Room 244 San Francisco, CA 94102-4689

Phone: (415) 554-7703 | Fax: (415) 554-5163 Board.of.supervisors@sfgov.org | 415-554-5184

The Legislative Research Center provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.

-----Original Message-----

From: David Nadler [mailto:mr.zydeco@yahoo.com]
Sent: Wednesday, July 05, 2017 8:43 AM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: The story of Mr Figueroa-Zarcena

Dear Supervisors,

The story of Mr. Figueroa-Zarcena pushes two hot buttons for me.

The first of these is San Francisco's execrable practices regarding the recovery of stolen cars. I'm reminded of the story of the working woman several years ago whose old car was stolen and recovered in San Francisco. Because she was at work, she could not meet the unreasonable deadline of one half-hour (or maybe even less!) to come pick up her car.

She could not afford the towing and storage charges, and after her car was auctioned off, she owed money because the proceeds of the auction did not cover her towing and storage charges.

In the present matter, a part of Mr. Figueroa-Zarcena's suffering is due not to a violation of the sanctuary city policy, but rather to this same city policy of predation on the poor and lower middle classes whenever one of their motor vehicles is stolen and recovered. So don't you dare try to impute Mr. Figueroa-Zarcena's loss of his truck to a violation of the city's sanctuary policy. That's 100% a result of your policies that are nothing more than predation on the poor and lower middle classes whenever one of their stolen motor vehicles is recovered in San Francisco. These policies are beyond outrageous, and if you can't fix them legislatively, look for an exercise of Direct Democracy coming very soon to a ballot box near you.

So much for hot button number one.

The second hot button is that the amount of the settlement negotiated is excessive. Mr. Figueroa-Zarcena might have been taken into custody on his civil deportation warrant at any time by Federal agents, and so it's just not fair to the taxpayers of San Francisco that we compensate him for his Federal incarceration. The amount of this settlement will accomplish absolutely nothing towards the stated purpose of "making sure that San Francisco's sanctuary policies are strictly observed": the only way to do that is to have to severe consequences for law enforcement officers who violate them.

As someone who pays local taxes, I feel entitled to ask how much of this settlement is going as fees to the Asian Law Caucus. The mission statement of this organization is "to promote, advance, and represent the legal and civil rights of Asian and Pacific Islander communities".

Last time I looked, Asian and Pacific Islander communities do not include Ecuador. As a local taxpayer, then, I feel compelled to ask how much of this munificent award of \$190,000 is slated to go the Asian Law Caucus as fees. One is also struck by the peculiar amount: is \$200,000 or above some kind of threshold where the rules become different? The Caucus gets funding in the form of grants from many offices of San Francisco local government. Given that, is it really unreasonable to ask whether all this is partly an exercise in stealth funding of the Asian Law Caucus? To the extent that this might be happening, you are not using city funds properly.

Even taking into account Mr. Figueroa-Zarcena's two month incarceration and loss of his truck, I feel that the amount of \$190,000 is excessive.

Each of you will soon vote whether to ratify this proposed settlement.

You may feel that most of your constituents would favor it because they favor the sanctuary city policy, and so you will vote to ratify. My main purpose here is to point out that even some supporters of the sanctuary city policy will agree with the points that I have made here. Add them to those oppose the policy, and you will see that he seemingly obvious vote to ratify in fact comes with considerable political peril.

I urge you to vote against ratification and to tell Mr. Herrera that he cannot agree to more than say, \$20,000 plus the cost of a new truck for Mr Figueroa-Zarcena, and \$10,000 in fees for the Asian Law Caucus. Such a settlement is completely fair to him, and is much fairer to us taxpayers.

Well, there you have hot button number two.

Respectfully submitted,

David Nadler

Resident of Russian Hill for 15 years

--

"J'aime les chats parce que j'aime ma maison, et que peu à peu ils en deviennent l'âme visible." -- Jean Cocteau

Carroll, John (BOS)

From: Board of Supervisors, (BOS)
Sent: Wednesday, July 05, 2017 3:42 PM
To: leanaalba@gmail.com
Cc: Carroll, John (BOS)
Subject: FW: law suit for undocumented ICE detainee

Categories: 170753

Hello,

Thank you for your email. It has been sent to the Board Members and will appear in our Petitions and Communications section of our July 18, 2017 Board Meeting agenda. Looping in the Government Audit and Oversight Committee Clerk to add to the official file.

Regards,

Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244
San Francisco, CA 94102-4689
Phone: (415) 554-7703 | Fax: (415) 554-5163
Board.of.supervisors@sfgov.org | 415-554-5184

Please complete a Board of Supervisors Customer Service Satisfaction form by clicking [here](#).

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.

From: L. Alba [mailto:leanaalba@gmail.com]
Sent: Wednesday, July 05, 2017 8:32 AM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: law suit for undocumented ICE detainee

Creating a sanctuary City where undocumented people are free to report crimes without Federal harassment is a sane idea for a city looking to manage crime. What is insane and a very bad precedent would be to pay this undocumented person a large sum of taxpayer dollars ,simply because a police officer called ICE. Fire the police officer if you want to make a punitive example but do not start handing out hard earned cash to people who are here undocumented . what the hell would we be thinking. The Mayor clearly does not have his constituents in mind by opening the doors to this kind of scam.

I was born and raised in San Francisco and I hail from Irish Mexican descent. My grandfather came here and went through the process to become a citizen should we not expect the same from other immigrants.

LEGISLATION RECEIVED CHECKLIST

Date

6/16/17

File Number (if applicable)

170753

- Legislation for Introduction (NEW) ▶▶▶ Legislative Clerk
- Legislation Pending in Committee (AMENDED) ▶▶▶ Committee Clerk
- Legislation for Board Agenda (AMENDED) ▶▶▶ Deputy Clerk

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

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2017 JUN 16 PM 3:42

AK

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

Name and Telephone Number

Joy Perez 554-3869

Department

City Attorney

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