File No. \_170796\_\_

Committee Item No. 9 1 Board Item No.

# **COMMITTEE/BOARD OF SUPERVISORS**

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Board of Su	pervisors Meeting:	Date:	September 19,2013
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Prepared by: \_John Carroll Prepared by: Jonn (Arenow

Date:	<u>Sept 1, 2017</u>		
Date:	SEPTEMBER	7	2017

## FILE NO. 170796

## ORDINANCE NO.

[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 <u>Bernard Sandoval</u> <u>v. City and County of San Francisco</u>; the lawsuit involves an employment dispute.

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 entitled <u>Bernard Sandoval v. City and County</u> <u>of San Francisco</u>, San Francisco Superior Court, Case No. CGC 15-546562, by the payment of \$120,000. The lawsuit involves an employment dispute.

Section 2. The above-named action was filed in San Francisco Superior Court on June 25, 2015, and the following parties were named in the lawsuit: Bernard Sandoval and the City and County of San Francisco.

City Attorney BOARD OF SUPERVISORS

1 APPROVED AS TO FORM AND **RECOMMENDED: RECOMMENDED:** 2 **DENNIS J. HERRERA** General Services Administration Real Estate 3 City Attorney Division 4 KATHARINE HOBIN PORTER 5 Chief Labor Attorney John Updike ( Director, Real Estate Division 6 FUNDS AVAILABLE: 7 8 BEN ROSE IED 9 Controller 10 **APPROVED:** 11 12 NAOMI KELLY City Administrator 14 15 16 17 18 19 20 21 22 23 24 25 City Attorney BOARD OF SUPERVISORS Page 2

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**BOARD of SUPERVISORS** 



City Hall 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
- DATE: July 17, 2017
- SUBJECT: **COMMITTEE REPORT, BOARD MEETING** Tuesday, July 18, 2017

The following file scheduled to be presented as a **COMMITTEE REPORT** at the July 18, 2017, Board of Supervisors Meeting, was CONTINUED TO THE CALL OF THE CHAIR at the Committee Meeting on Monday, July 17, 2017, at 12:00 p.m.

Item No. 54, File No. 170796, was not sent as a Committee Report.

c: Board of Supervisors Angela Calvillo, Clerk of the Board Jon Givner, Deputy City Attorney



City and County of San Francisco

JANE KIM 金貞妍

DATE:	July 12, 2017	: 		
TO:	Angela Calvillo Clerk of the Board of Supervisors			
FROM:	Supervisor Kim Chairperson	<u>N</u>	<b>C</b> .)	•
RE:	Government Audit and Oversight Committee COMMITTEE REPORT	and the second secon	e C	

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.

City Hall • 1 Dr. Carlton B. Goodlett Place • Room 244 • San Francisco, California 94102-4689 • (415) 554-7970 Fax (415) 554-7974 • TDD/TTY (415) 554-5227 • E-mail: Jane.Kim@sfgov.org



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.

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City and County of San Francisco

## 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.

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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.

City Hall • 1 Dr. Carlton B. Goodlett Place • Room 244 • San Francisco, California 94102-4689 • (415) 554-7970 Fax (415) 554-7974 • TDD/TTY (415) 554-5227 • E-mail: Jane.Kim@sfgov.org

Legislation for Introduction (NEW)       >>>> Legislative Clerk         Legislation for Introduction (NEW)       >>>>>>>>>>>>>>>>>>>>>>>>>>>>>>	Date	6 /201	7 File N	NLOLIVED -	able)	70796	. ထ
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