File No. <u>190002</u>

Committee Item No. <u>7</u> Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: <u>Government Audit and Oversight</u> Board of Supervisors Meeting:

Date: February 7, 2019
Date:

Cmte Board

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	Form 126 – Ethics Commission Award Letter			
	Application Public Correspondence			

OTHER

Prepared by:	John Carroll	Date:	February 1,
Prepared by:		Date:	

FILE NO. 190002

ORDINANCE NO.

[Settlement of Lawsuit - Small Property Owners of San Francisco Institute - \$110,000]

Ordinance authorizing settlement of the lawsuit filed by Small Property Owners of San Francisco Institute against the City and County of San Francisco for \$110,000; the lawsuit was filed on January 28, 2014, in San Francisco Superior Court, Case No. CPF-14-513453; entitled <u>Small Property Owners of San Francisco Institute v. City and</u> <u>County of San Francisco, et al.</u>; the lawsuit involves a claim for attorney's fees and costs following Petitioner's challenge to Ordinance No. 286-13 on the grounds, in part, that Section 181(c)(3) is preempted by the state Ellis Act.

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>Small Property Owners of San</u> <u>Francisco Institute v. City and County of San Francisco, et al.</u>, San Francisco Superior Court, Case No. CPF-14-513453 by the payment of \$110,000. The lawsuit involves a claim for attorney's fees and costs following Petitioner's challenge to Ordinance No. 286-13 on the grounds, in part, that section 181(c)(3) is preempted by the state Ellis Act.

Section 2. The above-named action was filed in San Francisco Superior Court on January 28, 2014, and the following parties were named in the lawsuit: Petitioner Small Property Owners of San Francisco Institute and Respondents City and County of San Francisco, Board of Supervisors of the City and County of San Francisco, San Francisco Planning Commission, and San Francisco Planning Department.

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City Attorney BOARD OF SUPERVISORS

1	APPROVED AS TO FORM AND RECOMMENDED:	RECOMMENDED:
2	DENNIS J. HERRERA	SAN FRANCISCO PLANNING
3	City Attorney	DEPARTMENT
4	MASAUL	All MM
5	KATE STACY Deputy City Attorney	JOHN RAHAIM Director of Planning
6	FUNDS-AVAILABLE:	
7	- Alexandree	
8 9	BEN ROSENFIELD Controller	
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-	City Attorney BOARD OF SUPERVISORS	

LEGISLATION RECEIVED CHECKLIST Date File Number (if applicable) 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 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) **W** 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

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