

File No. 190005

Committee Item No. 10

Board Item No. 4

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight

Date: February 7, 2019

Board of Supervisors Meeting:

Date: 3/5/19

Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

OTHER

- _____
- _____
- _____
- _____
- _____

Prepared by: John Carroll

Date: February 1, 2019

Prepared by: John Carroll

Date: February 11, 2019

1 [Settlement of Lawsuit - Winfield International, Inc. - \$500,000]

2
3 **Ordinance authorizing settlement of the lawsuit filed by Winfield International, Inc.**
4 **against the City and County of San Francisco for a payment by Winfield International,**
5 **Inc. of \$500,000; the lawsuit was filed on March 20, 2017, in San Francisco Superior**
6 **Court, Case No. CPF-17-515532 (Appeal No. A153209); entitled Winfield International,**
7 **Inc. v. City and County of San Francisco; the lawsuit challenges the City's enforcement**
8 **of the Below Market Rate housing conditions of approval applicable to Petitioner's real**
9 **property located at 3000 23rd Street; other material terms of the settlement include**
10 **recording a notice of special restrictions reflecting the Below Market Rate conditions of**
11 **Approval applicable to the real property; and a 12-month extension and related lease**
12 **terms for the current tenant of Unit No. 205.**

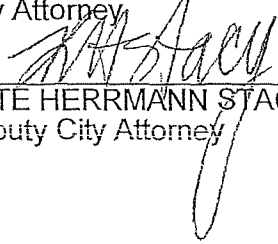
13
14 Be it ordained by the People of the City and County of San Francisco:

15 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby
16 authorizes the City Attorney to settle the action entitled Winfield International, Inc. v. City and
17 County of San Francisco, San Francisco Superior Court, Case No. CPF-17-515532 (Appeal
18 No. A153209) by the payment by Winfield International, Inc. of \$500,000; recording a notice of
19 special restrictions reflecting the Below Market Rate conditions of Approval applicable to the
20 real property located at 3000 23rd Street ("Property"); and a 12-month extension and related
21 lease terms for the current tenant of Unit No. 205. The lawsuit involves a challenge to the
22 City's enforcement of the Below Market Rate (BMR) Conditions of Approval imposed on
23 Petitioners' property in connection with the Conditional Use Authorization and the subdivision
24 map approval for the Property.

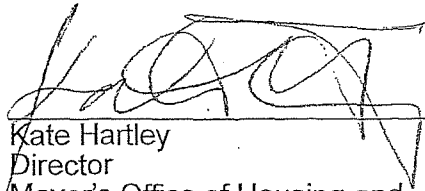
1 Section 2. The above-named action was filed in San Francisco Superior Court on
2 March 20, 2017, and the following parties were named in the lawsuit: Winfield International,
3 Inc., and the City and County of San Francisco.
4

5 APPROVED AS TO FORM AND
6 RECOMMENDED:

7 DENNIS J. HERRERA
8 City Attorney

9 
10 _____
11 KATE HERRMANN STACY
12 Deputy City Attorney

RECOMMENDED:


13 _____
14 Kate Hartley
15 Director
16 Mayor's Office of Housing and
17 Community Development

18 n:\land\li2018\170029\01315670.docx
19
20
21
22
23
24
25

LEGISLATION RECEIVED CHECKLIST

Date 12/28/18 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

RECEIVED
 BOARD OF SUPERVISORS
 SAN FRANCISCO
 2018 DEC 28 PM 2:43

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

Jay 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