

File No. 201313

Committee Item No. 2

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight

Date: January 21, 2021

Board of Supervisors Meeting:

Date: _____

Cmte Board

- | | | |
|-------------------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input checked="" 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 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

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| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
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Prepared by: John Carroll

Date: January 15, 2021

Prepared by: John Carroll

Date: _____

1 [Settlement of Consolidated Lawsuits - Abdullah Wazwaz, Jason Moore, Kenneth Yeung,
2 Brian Kam, Taira De Bernardi, Stephen Val Kirwan - \$503,506.33]

3 **Ordinance authorizing settlement of two consolidated lawsuits filed by Taira De**
4 **Bernardi, Stephen Val Kirwan, Abdullah Wazwaz, Jason Moore, Kenneth Yeung, and**
5 **Brian Kam, acting for themselves and others similarly situated, against the City and**
6 **County of San Francisco for \$503,506.33; the first lawsuit was filed on July 30, 2018, in**
7 **United States District Court for the Northern District of California, Case**
8 **No. 3:18-cv-04597, entitled Taira De Bernardi and Stephen Val Kirwan v. City and**
9 **County of San Francisco; and the second lawsuit was filed on September 14, 2018, in**
10 **United States District Court for the Northern District of California, Case**
11 **No. 3:18-cv-05580, entitled Abdullah Wazwaz, Jason Moore, Kenneth Yeung and Brian**
12 **Kam v. City and County of San Francisco; the lawsuits involve employment disputes.**

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 actions entitled Taira De Bernardi, Stephen Val
17 Kirwan vs. City and County of San Francisco, United States District Court for the Northern
18 District of California, Case No. 3:18-cv-04597 and Abdullah Wazwaz, Jason Moore, Kenneth
19 Yeung, Brian Kam vs. The City and County of San Francisco, United States District Court for
20 the Northern District of California, Case No. 3:18-cv-05580, by the payment of \$503,506.33.
21 The lawsuits involve employment disputes.

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1 Section 2. The above-named actions were filed in United States District Court for the
2 Northern District of California on July 30, 2018 and September 14, 2018, and the following
3 parties were named in the lawsuit: Plaintiffs Abdullah Wazwaz, Jason Moore, Kenneth
4 Yeung, Brian Kam, Taira De Bernardi, Stephen Val Kirwan, acting for themselves and other
5 similarly situated employees; Defendant City and County of San Francisco.

6
7 APPROVED AS TO FORM AND
RECOMMENDED:

RECOMMENDED:

8 DENNIS J. HERRERA
9 City Attorney

SAN FRANCISCO SHERIFF DEPARTMENT

10
11 /s/
KATHARINE HOBIN-PORTER
12 Chief Labor Attorney

/s/
CAROL ISEN
13 Acting Human Resources Director for
14 Department of Human Resources

15 FUNDS AVAILABLE:

16 /s/
BEN ROSENFELD
17 Controller

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LEGISLATION RECEIVED CHECKLIST

Date 11/19/2020 File Number (if applicable) _____

- | | | | |
|-------------------------------------|---|-----|-------------------|
| <input checked="" type="checkbox"/> | Legislation for Introduction (NEW) | ▶▶▶ | Legislative Clerk |
| <input type="checkbox"/> | Legislation Pending in Committee (AMENDED) | ▶▶▶ | Committee Clerk |
| <input type="checkbox"/> | 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)
- 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**

Joy Perez 415-554-3869
Name and Telephone Number

City Attorney
Department