File No. 201313

Committee Item No. 2 Board Item No. 3

COMMITTEE/BOARD OF SUPERVISORS

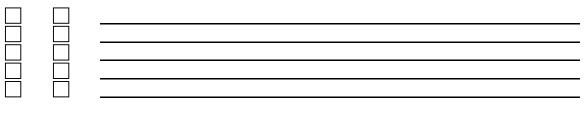
AGENDA PACKET CONTENTS LIST

Committee: <u>Government Audit and Oversight</u> Board of Supervisors Meeting: Date: January 21, 2021 Date: February 2, 2021

Cmte Board

		Motion
		Resolution
$\overline{\boxtimes}$	$\overline{\boxtimes}$	Ordinance
Π	Ē	Legislative Digest
Π	Ē	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:	January 15, 2021
Prepared by:	John Carroll	Date:	January 28, 2021

1 2	[Settlement of Consolidated Lawsuits - Abdullah Wazwaz, Jason Moore, Kenneth Yeung, 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 <u>Abdullah Wazwaz, Jason Moore, Kenneth Yeung and Brian</u>
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.
22	
23	
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25	

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 9	DENNIS J. HERRERA City Attorney	SAN FRANCISCO SHERIFF DEPARTMENT				
10						
11	<u>/s/</u> KATHARINE HOBIN-PORTER	<u>/s/</u> CAROL ISEN				
12	Chief Labor Attorney	Acting Human Resources Director for Department of Human Resources				
13	FUNDS AVAILABLE:					
14						
15	<u>/s/</u> BEN ROSENFIELD					
16	Controller					
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LEGISLATION RECEIVED CHECKLIST

Date <u>11/19/2020</u>

File Number (if applicable) _

- [X] Legislation for Introduction **(NEW)**
- [] Legislation Pending in Committee (AMENDED)
- [] Legislation for Board Agenda (AMÈNDED)
- ►►► Legislative Clerk
- ►►► Committee Clerk
- 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

- [X] Legislation: Original,1 hard copy, and 1 electronic copy in Word format
- [X] Signature: City Attorney (For Settlement of Lawsuits City Attorney, Department Head, Controller, Commission Secretary)

[X] Supporting documents: 1 full set, and separate pdf copies of each in email

- [X] Cover letter (original)
- [X] Settlement Report/Agreement (for settlements)
- [] Other support documents as identified in the cover letter and legislation

[X] 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
- [X] E-Copy of legislation/supporting documents: Sent to BOS.Legislation@sfgov.org

Joy Perez 415-554-3869	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