

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

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

10  
11 Be it ordained by the People of the City and County of San Francisco:

12 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby  
13 authorizes the City Attorney to settle the action entitled Small Property Owners of San  
14 Francisco Institute v. City and County of San Francisco, et al., San Francisco Superior Court,  
15 Case No. CPF-14-513453 by the payment of \$110,000. The lawsuit involves a claim for  
16 attorney's fees and costs following Petitioner's challenge to Ordinance No. 286-13 on the  
17 grounds, in part, that section 181(c)(3) is preempted by the state Ellis Act.

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

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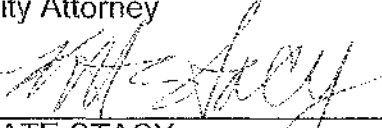
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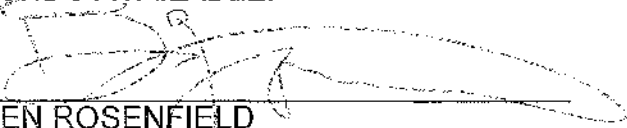
APPROVED AS TO FORM AND  
RECOMMENDED:

DENNIS J. HERRERA  
City Attorney



KATE STACY  
Deputy City Attorney

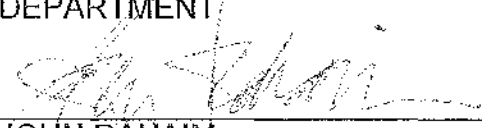
FUNDS AVAILABLE:



BEN ROSENFELD  
Controller

RECOMMENDED:

SAN FRANCISCO PLANNING  
DEPARTMENT



JOHN RAHAIM  
Director of Planning

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**City and County of San Francisco**  
**Tails**  
**Ordinance**

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

**File Number:** 190002

**Date Passed:** March 05, 2019

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 Small Property Owners of San Francisco Institute v. City and County of San Francisco, et al.; 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.

February 07, 2019 Government Audit and Oversight Committee - RECOMMENDED

February 26, 2019 Board of Supervisors - PASSED ON FIRST READING

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

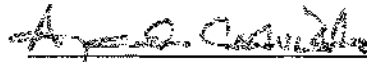
March 05, 2019 Board of Supervisors - FINALLY PASSED

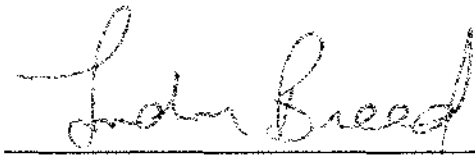
Ayes: 10 - Brown, Fewer, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

Absent: 1 - Haney

File No. 190002

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 3/5/2019 by the Board of Supervisors of the City and County of San Francisco.

  
\_\_\_\_\_  
Angela Calvillo  
Clerk of the Board

  
\_\_\_\_\_  
London N. Breed  
Mayor

  
\_\_\_\_\_  
Date Approved