

1 [Settlement of Lawsuit - AvalonBay Communities, Inc. and MVP I, LLC - \$166,019.37]

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3 **Ordinance authorizing settlement of the lawsuit filed by AvalonBay Communities, Inc.**
4 **and MVP I, LLC against the City and County of San Francisco for \$166,019.37; the**
5 **lawsuit was filed on January 12, 2018, in San Francisco Superior Court, Case**
6 **No. CGC-18-563657; entitled AvalonBay Communities, Inc. et al. v. City and County of**
7 **San Francisco et al.; the lawsuit involves a claim for refund of payroll expense taxes**
8 **and gross receipts taxes for tax years 2014 and 2015.**

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

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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 *AvalonBay Communities, Inc. et al. v.*
14 *City and County of San Francisco et al.*, San Francisco Superior Court, Case
15 No. CGC-18-563657 by the payment of \$166,019.37. The lawsuit involves a claim for refund
16 of payroll expense taxes and gross receipts taxes for tax years 2014 and 2015.

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18 Section 2. The above-named action was filed in San Francisco Superior Court on
19 January 12, 2018, and the following parties were named in the lawsuit: Plaintiffs AvalonBay
20 Communities, Inc. and MVP I, LLC, and defendants City and County of San Francisco, José
21 Cisneros, Treasurer and Tax Collector of the City and County of San Francisco, and Does 1
22 through 50.

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APPROVED AS TO FORM AND
RECOMMENDED:

DENNIS J. HERRERA
City Attorney



SCOTT M. REIBER
Chief Tax Attorney

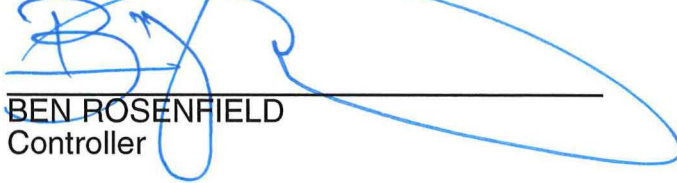
RECOMMENDED:

Office of the Treasurer and Tax Collector



JOSE CISNEROS
Treasurer

FUNDS AVAILABLE:



BEN ROSENFELD
Controller

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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: 180308

Date Passed: May 01, 2018

Ordinance authorizing settlement of the lawsuit filed by AvalonBay Communities, Inc. and MVP I, LLC against the City and County of San Francisco for \$166,019.37; the lawsuit was filed on January 12, 2018, in San Francisco Superior Court, Case No. CGC-18-563657; entitled AvalonBay Communities, Inc. et al. v. City and County of San Francisco et al.; the lawsuit involves a claim for refund of payroll expense taxes and gross receipts taxes for tax years 2014 and 2015.

April 18, 2018 Government Audit and Oversight Committee - RECOMMENDED

April 24, 2018 Board of Supervisors - PASSED ON FIRST READING


Ayes: 11 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Tang and Yee

May 01, 2018 Board of Supervisors - FINALLY PASSED

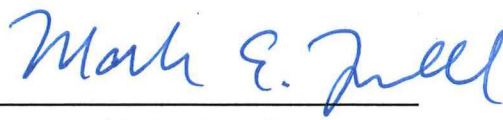
Ayes: 11 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Tang and Yee

File No. 180308

I hereby certify that the foregoing
Ordinance was FINALLY PASSED on
5/1/2018 by the Board of Supervisors of the
City and County of San Francisco.



Angela Calvillo
Clerk of the Board



Mark E. Farrell
Mayor



Date Approved