

1 [Commending Deputy City Attorney Andrew W. Schwartz.]  
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3 **Resolution commending Andrew W. Schwartz for twenty-two years of exemplary public**  
4 **service to San Francisco as a Deputy City Attorney, and wishing him well in his future**  
5 **endeavors at Shute, Mihaly & Weinberger.**  
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7 WHEREAS, The Board of Supervisors of the City and County of San Francisco wishes  
8 to honor Andrew W. Schwartz, who has given twenty-two years of dedicated and exemplary  
9 public service to San Francisco as a Deputy City Attorney, first under City Attorney George  
10 Agnost and then under City Attorneys Louise H. Renne and Dennis J. Herrera, and who is  
11 now leaving the City Attorney's Office to practice government, environmental, natural  
12 resources, land use law at the law firm of Shute, Mihaly & Weinberger; and

13 WHEREAS, in 1983 Mr. Schwartz joined the City Attorney's Office, having graduated  
14 from the University of California at Los Angeles School of Law, where he was a member of  
15 the Law Review, following graduation from Stanford University; and

16 WHEREAS, Mr. Schwartz has been one of the City's best and most effective lawyers,  
17 successfully representing the City in many significant projects, lawsuits and matters of great  
18 public interest and importance and,

19 WHEREAS, Mr. Schwartz has guided this Board through many legislative issues and  
20 efforts to craft programs and fees to address impacts on City services and has ensured that  
21 the City's cutting edge ordinances remain lawful and legally defensible; and

22 WHEREAS, Mr. Schwartz has assisted this Board through the legislative process and  
23 has defended the City in extensive litigation in pursuing and achieving monumental public  
24 projects and has procured, where necessary, land for the City at fair market value; and  
25

*Duffy, Daly*

1           WHEREAS, almost every neighborhood bears the mark of Mr. Schwartz's eminent  
2 domain efforts on behalf of the City, including the following important public amenities:

- 3           • Boedekker Park in the Tenderloin;
- 4           • Chinatown Park at Jackson & Powell;
- 5           • Rincon Park, involving open space and accommodation of the Muni N-line and  
6           Embarcadero reconfiguration;
- 7           • The Rock at 14<sup>th</sup> & Noriega;
- 8           • Hawk Hill, a 2-part acquisition serving Forest Hill and the Sunset;
- 9           • Bayview Park in Bayview/Hunters Point;
- 10          • Ocean Beach Parcel 4 below the Cliff House and now part of the GGNRA;
- 11          • Noe & Beaver pocket park;
- 12          • O'Shaughnessy open space;
- 13          • Edgehill Mountain Park and its expansion;
- 14          • Moscone West expansion;
- 15          • California Street parking lot at Fillmore & Steiner;
- 16          • Evans Street sewage pump station;
- 17          • a much needed parking structure at Grant & Stockton in North Beach;
- 18          • the sale of the City's right of way to BART for the BART airport extension;
- 19          • 701 Lombard – ongoing efforts to provide open space and public amenities; and

20           WHEREAS, Mr. Schwartz has contributed immensely to making San Francisco a more  
21 livable and pleasant place to live and has helped alleviate some of the problems besetting  
22 San Francisco; and

23           WHEREAS, Mr. Schwartz has successfully litigated lawsuits regarding the Hotel  
24 Conversion Ordinance, condominium conversion limits, City impact fees, and the City's  
25

1 authority to exercise its discretionary review over permits, benefiting not just the City but local  
2 governments all over California; and

3 WHEREAS, Mr. Schwartz has been a national leader in the practice of land use,  
4 regulatory takings, and eminent domain law while working on behalf of San Francisco,  
5 including co-founding of the Community Land Use Project of California to assist local  
6 government agencies in preserving an appropriate balance between individual property rights  
7 and community interest; and

8 WHEREAS, During his tenure with the City Attorney's Office, Mr. Schwartz has  
9 authored several publications, including the *Takings Litigation Handbook*, *Defending Legal*  
10 *Challenges to Land Use Regulations*, *The Basics of Takings Law*, and the article *Overripe*  
11 *Takings Claims Produce Rotten Fruit for Regulatory Agencies*; and

12 WHEREAS, Mr. Schwartz has distinguished himself among his peers, excelling in oral  
13 arguments and crafting sophisticated and powerful briefs, and

14 WHEREAS, Mr. Schwartz's colleagues in the City Attorney's Office have valued him for  
15 his energy, his dry wit, his preternaturally clean office and his enthusiasm; and

16 WHEREAS, Mr. Schwartz's belief in the power of local government to regulate for the  
17 public good has inspired students, his colleagues and this Board, and his zealous advocacy  
18 for San Francisco has done much to preserve the authority of local governments not only in  
19 San Francisco but throughout California; now, therefore, be it

20 RESOLVED, That the Board of Supervisors of the City and County of San Francisco  
21 hereby commends Andrew W. Schwartz for his twenty-two years of exemplary service for the  
22 City and County; and, be it

23 FURTHER RESOLVED, That the Board of Supervisors thanks Mr. Schwartz and  
24 wishes him well in his future endeavors.



# City and County of San Francisco

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

## Tails Resolution

**File Number:** 050157

**Date Passed:**

Resolution commending Andrew W. Schwartz for twenty-two years of exemplary public service to San Francisco as a Deputy City Attorney, and wishing him well in his future endeavors at Shute, Mihaly & Weinberger.

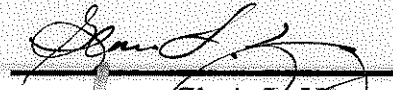
February 1, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick,  
Mirkarimi, Peskin, Sandoval

Excused: 1 - Dufty

File No. 050157

I hereby certify that the foregoing Resolution was ADOPTED on February 1, 2005 by the Board of Supervisors of the City and County of San Francisco.

  
Gloria L. Young  
Clerk of the Board

FEB 11 2005

Date Approved

  
Mayor Gavin Newsom