

# Proposed Revised Stipulated CDO 224 Sea Cliff Ave, San Francisco

Proposed first amendment (.01) to Commission Cease and Desist  
and Civil Penalty Order No. CCD2022.001.00

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# Background – Pre-Bankruptcy Sale

- 2002 to 2004: Brugnara built unauthorized deck, promenade, and stairwell on cliffs.
- Cliffs are within shoreline band, nearly all City-owned.
- Stairwell landing on land leased by NPS from SLC (GGNRA).
- 2004: BCDC opened ER2004.019.
- 2020: PSG foreclosed on property in bankruptcy proceedings.
- 2022: BCDC sent VR/C for ER2004.019; EC voted to recommend Commission adopt CCD2022.001.00; Commission adopted CCD.

# Background – Post-Bankruptcy Sale

- February 5, 2024: Bankruptcy sale of property from PSG to Edward Dudensing closed.
- CCD2022.001.00, section IV.D requires buyer to work with BCDC staff to present stipulated order to Commission without civil administrative liability.
- Respondent's legal and consulting team have worked closely with BCDC and City staff in good faith since closing to resolve violations.
- Proposed first amendment reflects mutual agreement between BCDC staff and Respondent.

# Key Provisions of First Amendment to CCD

- Identify unpermitted structures posing cliffside stability risk.
- Identify method to remove such structures.
- If removal would increase risk, identify solution to remove as much as possible and retain remainder to minimize risk.
- Remove structures on public and private property s/t exception above.
- Submit ATF permit application for any structures on private property to remain.
- Pay \$90,000 administrative civil penalty previously required of PSG (condition of bankruptcy sale).