

1 [Settlement of Lawsuit - San Francisco SRO Hotel Coalition, et al. - \$300,000]

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3 **Ordinance authorizing settlement of the lawsuit filed by San Francisco SRO Hotel**
4 **Coalition, Hotel Des Arts, LLC, and Brent Haas against the City and County of San**
5 **Francisco for \$300,000; the lawsuit was filed on May 8, 2017, in San Francisco Superior**
6 **Court, Case No. CPF-17-515656; entitled San Francisco SRO Hotel Coalition, et al. v.**
7 **City and County of San Francisco, et al.; the settlement resolves a claim for attorney's**
8 **fees and costs following Petitioners' challenge to Ordinance No. 38-17 on the grounds,**
9 **in part, that San Francisco's approval of Ordinance No. 38-17 violated the California**
10 **Environmental Quality Act, and Ordinance No. 38-17 violated petitioners' constitutional**
11 **rights.**

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

14 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby
15 authorizes the City Attorney to settle the action entitled San Francisco SRO Hotel Coalition, et
16 al. v. City and County of San Francisco, et al., San Francisco Superior Court, Case No.
17 CPF-17-515656 by the payment of \$300,000. The lawsuit involves a claim for attorney's fees
18 and costs following Petitioner's challenge to Ordinance No. 38-17 on the grounds, in part, that
19 San Francisco's approval of Ordinance No. 38-17 violated CEQA and that Ordinance
20 No. 38-17 violated petitioners' constitutional rights.

21 Section 2. The above-named action was filed in San Francisco Superior Court on
22 May 8, 2017, and the following parties were named in the lawsuit: Petitioners and Plaintiffs
23 San Francisco SRO Hotel Coalition, Hotel Des Arts, LLC, and Brent Haas; and Respondents
24 and Defendants City and County of San Francisco, the Board of Supervisors of the City and

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County of San Francisco; Department of Building Inspection of the City and County of San Francisco; Mayor Edwin Lee, in his official capacity.

APPROVED AS TO FORM AND RECOMMENDED:

DENNIS J. HERRERA
City Attorney


KATE STACY
Deputy City Attorney

RECOMMENDED:

DEPARTMENT OF BUILDING INSPECTION
OF THE CITY AND COUNTY OF SAN
FRANCISCO


TOM C. HUI
Director of Department of Building Inspection

FUNDS AVAILABLE:


BEN ROSENFELD
Controller



City and County of San Francisco

Tails
Ordinance

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

File Number: 200078

Date Passed: March 10, 2020

Ordinance authorizing settlement of the lawsuit filed by San Francisco SRO Hotel Coalition, Hotel Des Arts, LLC, and Brent Haas against the City and County of San Francisco for \$300,000; the lawsuit was filed on May 8, 2017, in San Francisco Superior Court, Case No. CPF-17-515656; entitled San Francisco SRO Hotel Coalition, et al. v. City and County of San Francisco, et al.; the settlement resolves a claim for attorney's fees and costs following Petitioners' challenge to Ordinance No. 38-17 on the grounds, in part, that San Francisco's approval of Ordinance No. 38-17 violated the California Environmental Quality Act, and Ordinance No. 38-17 violated petitioners' constitutional rights.

February 20, 2020 Government Audit and Oversight Committee - RECOMMENDED

March 03, 2020 Board of Supervisors - PASSED ON FIRST READING

Ayes: 10 - Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani,
Walton and Yee
Absent: 1 - Fewer

March 10, 2020 Board of Supervisors - FINALLY PASSED

Ayes: 10 - Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani,
Walton and Yee
Absent: 1 - Fewer

File No. 200078

I hereby certify that the foregoing
Ordinance was FINALLY PASSED on
3/10/2020 by the Board of Supervisors of
the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

London N. Breed
Mayor

3/20/20

Date Approved