

1 [Settlement of Lawsuit - Coalition on Homelessness - \$2,828,000]

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3 **Ordinance authorizing settlement of the lawsuit filed by Coalition On Homelessness**
4 **against the City and County of San Francisco for \$2,828,000 and non-monetary terms;**
5 **the lawsuit was filed on September 27, 2022, in the United States District Court for the**
6 **Northern District of California, Case No. 4:22-cv-05502-DMR; entitled Coalition on**
7 **Homelessness, et al. v. City and County of San Francisco, et al.; the lawsuit involves**
8 **Plaintiff’s allegation that the City unlawfully seizes property of persons experiencing**
9 **homelessness without adequate advanced notice, discards property the City should**
10 **store under the terms of the City’s “bag and tag” policy, and fails to store property of**
11 **persons experiencing homelessness in a way that allows retrieval of the property.**

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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 Coalition on Homelessness’ claims in the action
16 entitled Coalition on Homelessness, et al. v. City and County of San Francisco, et al., United
17 States District Court for the Northern District of California, Case No. 4:22-cv-05502-DMR on
18 substantially the same terms as set forth in the Settlement Agreement on file with the Clerk of
19 the Board of Supervisors in File No. 250767, which is incorporated by reference and declared
20 to be a part of this ordinance as if set forth fully herein. The Settlement Agreement includes
21 the payment of \$2,828,000 in attorney’s fees and costs, as well as an agreement concerning
22 the treatment of property belonging to persons experiencing homelessness. The lawsuit
23 involves Plaintiff’s allegation that the City unlawfully seizes property of persons experiencing
24 homelessness without adequate advanced notice, discards property the City should store

1 under the terms of the City’s “bag and tag” policy, and fails to store property of persons
2 experiencing homelessness in a way that allows successful retrieval of their property.

3 Section 2. The above-named action was filed in the United States District Court for the
4 Northern District of California on September 27, 2022, and the following parties were named
5 in the lawsuit: Plaintiffs Coalition On Homelessness; Toro Castaño; Sarah Cronk; Joshua
6 Donohoe; Moliqie Frank; David Martinez; Teresa Sandoval; Nathaniel Vaughn, and
7 Defendants City and County Of San Francisco; San Francisco Police Department; San
8 Francisco Department of Public Works; San Francisco Department of Homelessness and
9 Supportive Housing; San Francisco Fire Department; San Francisco Department of
10 Emergency Management.

1 APPROVED AS TO FORM AND
2 RECOMMENDED:

3 DAVID CHIU
4 City Attorney

5 s/Tara M. Steeley
6 TARA M. STEELEY
7 Team Leader, Government Litigation

RECOMMENDED:
DEPARTMENT OF PUBLIC WORKS

s/Carla Short
CARLA SHORT
Director

8 FUNDS AVAILABLE:

9 /s Greg Wagner
10 GREG WAGNER
11 Controller

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