

[Settlement of Unlitigated Claim - 1231 Market Street Owner L.P. - \$19,500,000]

Resolution approving the settlement of the unlitigated claim filed by 1231 Market Street Owner L.P. against the City and County of San Francisco for \$19,500,000; the claim was filed on April 13, 2023; the claim involves allegations of property damage to the Hotel Whitcomb caused by shelter-in-place (SIP) hotel guests during the COVID-19 pandemic and resulting loss of use; other material terms of the settlement include a mutual full and final release, with each party to bear their own costs.

WHEREAS, 1231 Market Street Owner L.P. filed Government Code Claim No. 23-01978 on April 13, 2023, against the City and County of San Francisco (Claim); and

WHEREAS, The Claim involves allegations of property damage to the Hotel Whitcomb caused by shelter-in-place hotel guests during the COVID-19 pandemic and resulting loss of use; and

WHEREAS, The Human Services Agency has recommended settlement of the Claim by payment of \$19,500,000 and other material terms of the settlement include a mutual full and final release, with each party to bear their own costs; now, therefore, be it

RESOLVED, That pursuant to Administrative Code, Section 10.22, the Board of Supervisors hereby authorizes the City Attorney to settle and compromise the Claim by payment of \$19,500,000 and other material terms of the settlement include a mutual full and final release, with each party to bear their own costs; the Controller is authorized to transfer appropriated funds between departments to pay the cost of the settlement described herein.

1 APPROVED:

2 DAVID CHIU
3 City Attorney

RECOMMENDED:

DEPARTMENT OF PUBLIC HEALTH

4 /s/
5 FREDERICK SHEINFELD
6 Chief Claims Deputy

/s/
TRENT RHORER
Executive Director
San Francisco Human Services Agency

8 FUNDS AVAILABLE:

9
10 /s/ Ben Rosenfield
11 BEN ROSENFELD
12 Controller

13 n:\health\li2022\220672\01656021.docx



City and County of San Francisco
Tails
Resolution

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

File Number: 230536

Date Passed: June 13, 2023

Resolution approving the settlement of the unlitigated claim filed by 1231 Market Street Owner L.P. against the City and County of San Francisco for \$19,500,000; the claim was filed on April 13, 2023; the claim involves allegations of property damage to the Hotel Whitcomb caused by shelter-in-place (SIP) hotel guests during the COVID-19 pandemic and resulting loss of use; other material terms of the settlement include a mutual full and final release, with each party to bear their own costs.


June 01, 2023 Government Audit and Oversight Committee - RECOMMENDED


June 13, 2023 Board of Supervisors - ADOPTED

Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 230536

I hereby certify that the foregoing
Resolution was ADOPTED on 6/13/2023 by
the Board of Supervisors of the City and
County of San Francisco.


Angela Calvillo
Clerk of the Board


London N. Breed
Mayor

6/23/23
Date Approved