

File No. 241115

Committee Item No. 7

Board Item No. \_\_\_\_\_

# COMMITTEE/BOARD OF SUPERVISORS

## AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight

Date: December 5, 2024

Board of Supervisors Meeting:

Date: \_\_\_\_\_

### Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU - FY2022-2024 - Clean
- MOU - FY2022-2024 - Redline
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract / DRAFT Mills Act Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

### OTHER

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Prepared by: Monique Crayton

Date: November 26, 2024

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

1 [Settlement of Lawsuits - Park Hotels & Resorts Inc. - Stipulated Assessed Value of  
2 \$220,345,336 and Refund of \$1,716,129, Plus Statutory Interest - Repealing Ordinance No.  
3 262-24]

4 **Ordinance authorizing settlement of two related lawsuits filed by Park Hotels & Resorts**  
5 **Inc. et al. against the City and County of San Francisco concerning the real property**  
6 **located at 375 Battery Street, San Francisco, CA (Assessor's Parcel Block No. 0229, Lot**  
7 **No. 020) (the "Subject Property") for a stipulated assessed value of the Subject**  
8 **Property of \$220,345,336 as of September 18, 2019, contingent upon the Assessment**  
9 **Appeals Board's approval, and a refund of \$1,716,129 plus statutory interest; the first**  
10 **lawsuit was filed on August 18, 2023, in San Francisco Superior Court, Case No. CGC-**  
11 **23-608468; entitled Park Hotels & Resorts Inc., et al. v. City and County of San**  
12 **Francisco; the second lawsuit was filed on June 27, 2023, in San Francisco Superior**  
13 **Court, Case No. CGC-23-607304; entitled Park Hotels & Resorts Inc. v. City and County**  
14 **of San Francisco, et al.; the lawsuits involve the assessed value of the Subject Property**  
15 **for property tax purposes as of the September 18, 2019, change in ownership date and**  
16 **a transfer tax refund; and repealing Ordinance No. 262-24, which authorized a prior**  
17 **settlement of these lawsuits.**

18  
19 Be it ordained by the People of the City and County of San Francisco:

20  
21 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby  
22 authorizes the City Attorney to settle the action entitled Park Hotels & Resorts Inc., et al. v.  
23 City and County of San Francisco, San Francisco Superior Court, Case No. CGC-23-608468,  
24 for a stipulated assessed value of the real property located at 375 Battery Street, San  
25

1 Francisco, CA (APN 0229-020) of \$220,345,336 as of September 18, 2019, contingent upon  
2 the Assessment Appeals Board's approval;

3  
4 Section 2. The action in Section 1 was filed in San Francisco Superior Court on  
5 August 18, 2023, and the following parties were named in the lawsuit: Park Hotels & Resorts  
6 Inc., a Delaware Corporation, PK Domestic Property LLC, a Delaware Limited Liability  
7 Company, CHSP San Francisco LLC, a Delaware Limited Liability Company, and CHSP TRS  
8 San Francisco LLC, a Delaware Limited Liability Company, Plaintiffs; and City and County of  
9 San Francisco, Defendant.

10  
11 Section 3. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby  
12 authorizes the City Attorney to settle the action entitled Park Hotels & Resorts Inc., et al. v.  
13 City and County of San Francisco, et al., San Francisco Superior Court, Case No. CGC-23-  
14 607304, for the payment of \$1,716,129, plus statutory interest. The lawsuit involves a transfer  
15 tax refund.

16  
17 Section 4. The action in Section 3 was filed in San Francisco Superior Court on  
18 June 27, 2023, and the following parties were named in the lawsuit: Park Hotels and Resorts  
19 Inc., a Delaware Corporation, PK Domestic Property LLC, a Delaware Limited Liability  
20 Company, and CHSP San Francisco LLC, a Delaware Limited Liability Company, Plaintiffs;  
21 and City and County of San Francisco, San Francisco Assessor-Recorder, San Francisco  
22 Controller, San Francisco Board of Supervisors, San Francisco Treasurer, San Francisco Tax  
23 Collector, and Does 1-10, Defendants.

24  
25 Section 5. Ordinance No. 262-24 approved a prior settlement with the same parties  
to resolve the actions identified in Sections 1 and 3. Ordinance No. 262-24 became effective

1 on November 14, 2024, but the City has not yet implemented the settlement authorized by  
2 that ordinance. The settlement authorized by Sections 1 and 3 of this ordinance supersedes  
3 the prior settlement. Accordingly, Ordinance No. 262-24 is hereby repealed.

4  
5 APPROVED AS TO FORM AND  
6 RECOMMENDED:

7 DAVID CHIU  
8 City Attorney

9 /s/ Scott M. Reiber  
10 SCOTT M. REIBER  
11 Chief Tax Attorney

RECOMMENDED:

OFFICE OF THE ASSESSOR-RECORDER

/s/ Joaquín Torres  
JOAQUÍN TORRES  
Assessor-Recorder

12 FUNDS AVAILABLE:

13 /s/ Michelle Allersma for Greg Wagner  
14 GREG WAGNER  
15 Controller

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