

1 [Settlement of Lawsuit]

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3 **Ordinance authorizing settlement of the class action lawsuit entitled Chambers v. City**
4 **and County of San Francisco, filed on October 11, 2006 in the United States District**
5 **Court for the Northern District of California, Case No. C06-06346 WHA. Pursuant to the**
6 **proposed settlement, the City will enhance community-based housing and services for**
7 **residents of Laguna Honda Hospital and for other San Franciscans who would benefit**
8 **from long-term community-based care.**

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

10 Section 1. Findings:

11 (1) On October 11, 2007, plaintiffs Mark Chambers, Woodrow Falls Jr., M.H., Phillip K.,
12 Gerald Scott, Mary T. and The Independent Living Resource Center of San Francisco filed a
13 class action lawsuit in federal court entitled "Chambers, et al. v. City and County Of San
14 Francisco," alleging violations of the Americans with Disabilities Act, the Rehabilitation Act of
15 1973 and California Government Code Sections 11135 and 11139. Class members include
16 current and former residents of Laguna Honda Hospital and Rehabilitation Center. The
17 lawsuit alleges that the City fails to provide adequate community-based services and housing
18 to class members who are eligible for and prefer to live in the community.

19 (2) By order dated July 12, 2007, the Court authorized this lawsuit to proceed as a
20 class action.

21 (3) In settlement of plaintiffs' lawsuit, the parties have negotiated a settlement
22 agreement, pursuant to which the City will provide specified enhancements to community-
23 based services available to class members, and will take specified steps to secure
24 appropriate community-based housing for class members. As more particularly described in
25 the settlement agreement, the City will timely evaluate class members and identify the

1 services, supports and type of housing each class member needs to live successfully in the
2 community. The City will seek to secure appropriate housing and coordinate delivery of the
3 identified services and supports, including case management services. The City will create
4 and fund a new scattered site housing subsidy program, through the Department of Public
5 Health, which will identify appropriate community-based housing within the City and subsidize
6 class members' rent payments. As part of the settlement, the City will pay plaintiffs \$300,000
7 for attorneys' fees incurred to date, paid in installments over three fiscal years; and a budget
8 of \$200,000 for future monitoring activities, paid out on a cost reimbursement basis. A copy of
9 the settlement agreement is contained in Board File No. 080135.

10 Section 2. The above-named class action lawsuit was filed in United States District
11 Court on October 11, 2006, and the following parties were named in the lawsuit: Plaintiffs
12 Mark Chambers, Woodrow Falls Jr., M.H., Phillip K., Gerald Scott, Mary T. and The
13 Independent Living Resource Center of San Francisco.

1 Section 3. The Board of Supervisors approves and authorizes the City's execution,
2 delivery and performance of the settlement agreement.

3
4 APPROVED AS TO FORM AND
RECOMMENDED:

5 DENNIS J. HERRERA
6 City Attorney


7 
8 JOANNE HOEPER
9 Chief Trial Deputy

RECOMMENDED:

SAN FRANCISCO DEPARTMENT OF
PUBLIC HEALTH

10 
11 MITCH KATZ
12 Director

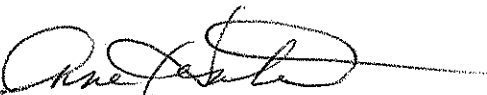
13 FUNDS AVAILABLE:

14 
15 EDWARD HARRINGTON
16 Controller

17 Index Code: 975028
18 Subobject: 05321

RECOMMENDED:

SAN FRANCISCO DEPARTMENT OF
AGING AND ADULT SERVICES

19 
20 ANNE HINTON
21 Director

APPROVED:

22 
23 SECRETARY
24 PUBLIC HEALTH COMMISSION
25



City and County of San Francisco

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

Tails

Ordinance

File Number: 080135

Date Passed:

Ordinance authorizing settlement of the class action lawsuit entitled Chambers v. City and County of San Francisco, filed on October 11, 2006 in the United States District Court for the Northern District of California, Case No. C06-06346 WHA. Pursuant to the proposed settlement, the City will enhance community-based housing and services for residents of Laguna Honda Hospital and for other San Franciscans who would benefit from long-term community-based care.

February 12, 2008 Board of Supervisors — PASSED ON FIRST READING

Ayes: 8 - Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 2 - Daly, Mirkarimi

Absent: 1 - Alioto-Pier

February 26, 2008 Board of Supervisors — CONTINUED

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Dufty

March 11, 2008 Board of Supervisors — CONTINUED

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Excused: 1 - McGoldrick

March 25, 2008 Board of Supervisors — CONTINUED

Ayes: 10 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Absent: 1 - Alioto-Pier

April 1, 2008 Board of Supervisors — PASSED ON FIRST READING

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Absent: 1 - McGoldrick

April 8, 2008 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 080135

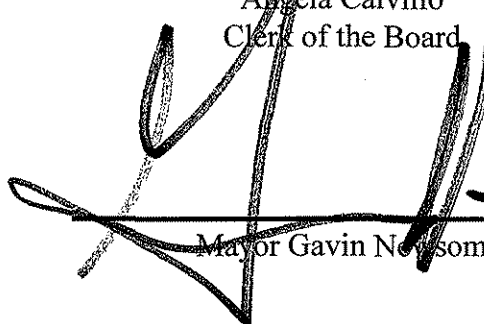
I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on April 8, 2008 by
the Board of Supervisors of the City and
County of San Francisco.



Angela Calvillo
Clerk of the Board

4-10-08

Date Approved



Mayor Gavin Newsom