

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

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

9
10 WHEREAS, 1231 Market Street Owner L.P. filed Government Code Claim No. 23-
11 01978 on April 13, 2023, against the City and County of San Francisco (Claim); and

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

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

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



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.

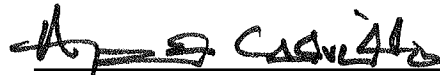
June 01, 2023 Government Audit and Oversight Committee - RECOMMENDED

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