

790 E. Colorado Boulevard, Suite 850  
Pasadena, CA 91101-2109  
Voice (213) 542-5700  
Fax (213) 542-5710

**COLANTUONO**  
**HIGHSMITH**  
**WHATLEY, PC**

Holly O. Whatley  
(213) 542-5704  
HWhatley@chwlaw.us

Our File No. 34012.0002

June 3, 2021

**VIA E-FILING**

Honorable Chief Justice Cantil-Sakauye and  
Associate Justices of the California Supreme Court  
350 McAllister Street  
San Francisco, CA 94102-4797

Re: ***Hill RHF Housing Partners, L.P., et al. v. City of Los Angeles, et al.***  
***Mesa RHF Partners, L.P., et al. v. City of Los Angeles, et al.***  
**(Case No. S263734)**  
**Notice of New Authority**

Honorable Chief Justice and Associate Justices:

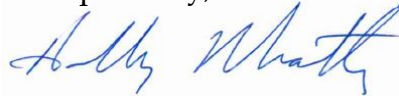
I represent the Defendants and Respondents, Downtown Center Business Improvement District Management Corp. and San Pedro Property Owners Alliance, in this matter. I write under California Rules of Court, rule 8.254 to inform the Court of a new authority pertinent to this matter: *KCSFV I, LLC, et al. v. Florin County Water District, et al.* (Cal. Ct. App., Third Appellate District, May 28, 2021), Case No. C088824 (“KCSFV”).

KCSFV issued May 28, 2021, after the parties completed briefing on the issues for review by this Court, and therefore could not have been included. KCSFV’s discussion of the exhaustion doctrine and the authority in *Plantier v. Ramona Municipal Water District* (2019) 7 Cal.5th 372 may be relevant to the issues on review here, specifically the scope and application of the exhaustion doctrine under Proposition 218. *Plantier’s* factual distinctions, legal analysis, and limited holding is directly raised in

Honorable Chief Justice Cantil-Sakauye and  
Associate Justices of the California Supreme Court  
June 3, 2021  
Page 2

Respondents' Joint Answer Brief on the Merits (pages 61 through 65), and thus *KCSFV*'s discussion and distinction of *Plantier* is relevant authority here.

Respectfully,



Holly O. Whatley  
SBN: 160259

HOW:pkg  
Enclosures: Proof of Service

## **PROOF OF SERVICE**

Supreme Court for the State of California Case No. S263734

*Hill RHF Housing Partners, L.P. v. City of Los Angeles, et al.*  
Second District Court of Appeal, Division 1, Case No. B295181  
Los Angeles Superior Court Case No. BS170127

*Mesa RHF Partners, L.P. v. City of Los Angeles, et al.*  
Second District Court of Appeal, Division 1, Case No. B295315  
Los Angeles Superior Court Case No. BS170352

I, the undersigned, declare:

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address 790 E. Colorado Boulevard, Suite 850, Pasadena, California. On **June 3, 2021**, I served the document(s) described as **NOTICE OF NEW AUTHORITY** on the interested parties in this action addressed as follow:

### **SEE ATTACHED LIST FOR METHOD OF SERVICE**

- BY ELECTRONIC MAIL:** By transmitting via electronic mail with Truefiling e-filing service the document(s) listed above to those identified on the attached service list. Or, based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the persons at the e-mail addresses listed on the attached service list. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

- BY MAIL:** By placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Pasadena, California addressed as identified on the service list attached.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on **June 3, 2021**, at Pasadena, California.



---

Christina M. Rothwell

## SERVICE LIST

Stephen L. Raucher, Esq.  
REUBEN RAUCHER & BLUM  
12400 Wilshire Blvd, Suite 800  
Los Angeles, CA 90025  
sraucher@rrbattorneys.com  
Tel: 310-777-1990  
Fax: 310-777-1989

*Attorney for  
Plaintiff/Appellant  
VIA TRUEFILING*

Daniel M. Whitley, Esq.  
Beverly A. Cook, Esq.  
Deputy City Attorney  
Public Finance/Economic Development  
200 N. Spring Street, Suite 920  
Los Angeles, CA 90012  
Tel: 213-978-7786  
Fax: 213-978-7811  
daniel.whitley@lacity.org  
beverly.cook@lacity.org

*Defendant/Respondent  
VIA TRUEFILING*

Jonathan M. Coupal, Esq.  
Timothy A. Bittle, Esq.  
Laura E. Dougherty, Esq.  
Howard Jarvis Taxpayers Foundation  
921 Eleventh Street, Suite 1201  
Sacramento, CA 95814  
Tel: 916-444-9950  
Fax: 916-444-9823  
laura@hjta.org

*Attorney for Amicus  
Curiae  
VIA TRUEFILING*

Eric J. Benink, Esq.  
Vincent D. Slavens, Esq.  
BENINK & SLAVENS, LLP  
8885 Rio San Diego Drive, Suite 207  
San Diego, CA 92108  
Tel: 619-369-5252  
Fax: 619-369-5253  
eric@beninkslavens.com  
vince@beninkslavens.com

*Attorney for Amicus  
Curiae*  
**VIA TRUEFILING**

Kevin D. Siegel, Esq.  
Tamar M. Burke, Esq.  
BURKE, WILLIAMS & SORENSEN, LLP  
1901 Harrison Street, Suite 900  
Oakland, CA 94612-3501  
Tel: 510-273-8780  
Fax: 510-839-9104  
ksiegel@bwslaw.com  
tburke@bwslaw.com

*Attorney for Amicus  
Curiae*  
**VIA TRUEFILING**

Los Angeles Superior Court  
Hon. Michael L. Beckloff, Dept. 86  
111 North Hill Street  
Los Angeles, California 90012

**VIA U.S. MAIL**

Rob Bonta  
Office of the Attorney General  
300 South Spring Street  
Los Angeles, CA 90013-1230

**VIA U.S. MAIL**

**STATE OF CALIFORNIA**  
Supreme Court of California

***PROOF OF SERVICE***

**STATE OF CALIFORNIA**  
Supreme Court of California

Case Name: **HILL RHF HOUSING PARTNERS v. CITY OF LOS ANGELES**

Case Number: **S263734**

Lower Court Case Number: **B295181**

1. At the time of service I was at least 18 years of age and not a party to this legal action.
2. My email address used to e-serve: **hwhatley@chwlaw.us**
3. I served by email a copy of the following document(s) indicated below:

Title(s) of papers e-served:

<b>Filing Type</b>	<b>Document Title</b>
LETTER	2021-06-03 Hill - Notice of New Authority - Florin County WD.PDF

Service Recipients:

<b>Person Served</b>	<b>Email Address</b>	<b>Type</b>	<b>Date / Time</b>
Christina Rothwell Colantuono, Highsmith & Whatley, PC	crothwell@chwlaw.us	e-Serve	6/3/2021 5:33:57 PM
Monique Carrillo City Attorneys Office	monique.carrillo@lacity.org	e-Serve	6/3/2021 5:33:57 PM
Vincent Slavens Benink & Slavens, LLP 217132	vince@beninkslavens.com	e-Serve	6/3/2021 5:33:57 PM
Laura Dougherty Howard Jarvis Taxpayers Association 255855	laura@hjta.org	e-Serve	6/3/2021 5:33:57 PM
Michael Colantuono Colantuono, Highsmith & Whatley, PC 143551	MColantuono@chwlaw.us	e-Serve	6/3/2021 5:33:57 PM
Robin Griffin Benink & Slavens, LLP	robin@beninkslavens.com	e-Serve	6/3/2021 5:33:57 PM
Michael Feuer Office of the City Attorney	michael.feuer@lacity.org	e-Serve	6/3/2021 5:33:57 PM
Eric Benink Benink & Slavens LLP 187434	eric@beninkslavens.com	e-Serve	6/3/2021 5:33:57 PM
Pamela Graham Colantuono Highsmith & Whatley, PC 216309	pgraham@chwlaw.us	e-Serve	6/3/2021 5:33:57 PM
Laura Dougherty Howard Jarvis Taxpayers Foundation	lauraelizabethmurray@yahoo.com	e-Serve	6/3/2021 5:33:57 PM
Kevin Siegel Burke, Williams & Sorensen, LLP 194787	ksiegel@bwslaw.com	e-Serve	6/3/2021 5:33:57 PM
Stephen Raucher	sraucher@rrbattorneys.com	e-	6/3/2021

Reuben Raucher & Blum 162795		Serve	5:33:57 PM
Daniel Whitley Office of the City Attorney 175146	daniel.whitley@lacity.org	e- Serve	6/3/2021 5:33:57 PM
Beverly Cook	beverly.cook@lacity.org	e- Serve	6/3/2021 5:33:57 PM
Tamar M. Burke	tburke@bwslaw.com	e- Serve	6/3/2021 5:33:57 PM
Holly Whatley	hwhatley@chwlaw.com	e- Serve	6/3/2021 5:33:57 PM

This proof of service was automatically created, submitted and signed on my behalf through my agreements with TrueFiling and its contents are true to the best of my information, knowledge, and belief.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

6/3/2021

Date

/s/Christina Rothwell

Signature

Whatley, Holly (160259)

Last Name, First Name (PNum)

Colantuono, Highsmith & Whatley, PC

Law Firm