

File No. 180303

Committee Item No. 10

Board Item No. 5

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight  
Board of Supervisors Meeting:

Date: April 18, 2018  
Date: April 24, 2018

#### Cmte Board

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|-------------------------------------|-------------------------------------|--|
| <input type="checkbox"/>            | <input type="checkbox"/>            | Motion                                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Resolution                                   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance                                    |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Budget and Legislative Analyst Report        |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Youth Commission Report                      |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Introduction Form                            |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/>            | MOU  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Form 126 – Ethics Commission                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Public Correspondence                        |

#### OTHER

<input type="checkbox"/>	<input type="checkbox"/>	_____
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Prepared by: John Carroll  
Prepared by: John Carroll

Date: April 13, 2018  
Date: April 19, 2018

1 [Partial Settlement of Lawsuit - Rick Popko and Nancy Huff - \$36,000]

2  
3 **Ordinance authorizing settlement of the lawsuit filed by Rick Popko and Nancy Huff**  
4 **against the City and County of San Francisco for \$36,000; the lawsuit was filed on**  
5 **August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled**  
6 **David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse**  
7 **condemnation arising out of flooding damage during major rainstorms; as it relates**  
8 **only to property loss of plaintiffs Rick Popko and Nancy Huff, by the payment**  
9 **of \$36,000, and excluding the claim by these plaintiffs for diminution of value for**  
10 **plaintiffs' real property and the claim by plaintiffs for attorney's fees, costs and**  
11 **interest, which will be addressed in later proceedings.**

12  
13 Be it ordained by the People of the City and County of San Francisco:

14 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby  
15 authorizes the City Attorney to settle the action entitled David Alfaro, et al. v. City and County  
16 of San Francisco, San Francisco Superior Court, Case No. CGC-15-547492 by the payment  
17 of \$36,000. The lawsuit involves inverse condemnation arising out of flooding damage during  
18 major rainstorms.

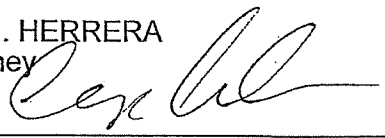
19 Section 2. The above-named action was filed in San Francisco Superior Court on  
20 August 20, 2015. This is an action brought by owners or occupants of several dozen  
21 properties located in San Francisco against defendant City and County of San Francisco.

22 Section 3. This is a partial settlement of the action. It resolves the personal and real  
23 property of plaintiffs Rick Popko and Nancy Huff of the claims. The parties will subsequently  
24 and separately address the personal and real property claims of other plaintiffs to the action,  
25 all claims of diminution of property value, and all claims for statutory attorney's fees.

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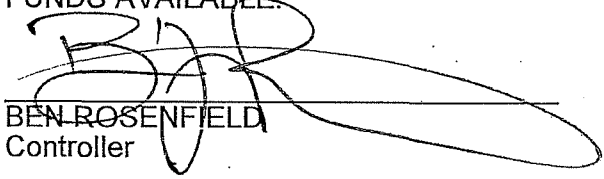
APPROVED AS TO FORM AND  
RECOMMENDED:

DENNIS J. HERRERA  
City Attorney



CHERYL ADAMS  
Chief Trial Deputy

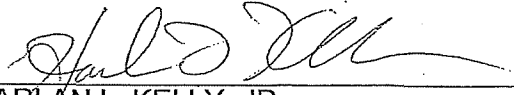
FUNDS AVAILABLE:



BEN ROSENFELD  
Controller

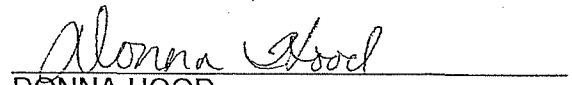
RECOMMENDED:

PUBLIC UTILITIES COMMISSION



HARLAN L. KELLY, JR.  
General Manager

APPROVED:



DONNA HOOD  
Secretary, Public Utilities Commission

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