1   [Settlement of Lawsuit - San Francisco Motorcycle Club - $310,000]

2

3   **Ordinance authorizing partial settlement of the lawsuit filed by San Francisco**

4   **Motorcycle Club against the City and County of San Francisco for $310,000; the lawsuit**

5   **was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-**

6   **547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit**

7   **involves inverse condemnation arising out of flooding damage during major rainstorms**

8   **in December of 2014; this settlement relates only to the diminution of real property**

9   **value claims of plaintiff San Francisco Motorcycle Club, and does not include claims**

10   **for property loss or for attorney's fees, costs and interest.**

11

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

13   Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby

14   authorizes the City Attorney to settle in part, and only as to plaintiff San Francisco Motorcycle

15   Club, the action entitled David Alfaro, et al. v. City and County of San Francisco, San

16   Francisco Superior Court, Case No. CGC-15-547492 by the payment of $310,000 to plaintiff

17   San Francisco Motorcycle Club. The lawsuit involves inverse condemnation arising out of

18   flooding damage during major rainstorms in December of 2014.

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 diminution of real

23   property value claims of commercial property owning plaintiff San Francisco Motorcycle Club.

24   The parties have previously, separately settled the personal and real property damage claims

25   of all property owners and diminution in value claims of residential property owners in this

1   action (see Board Ordinance No. 112-18, on file with the Clerk of the Board of Supervisors in

2   File No. 180307). The parties will subsequently and separately address all claims for statutory

3   attorney's fees relating to this action.

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1

APPROVED AS TO FORM AND
RECOMMENDED:

2

3

DENNIS J. HERRERA
City Attorney

4

/s/ Meredith B. Osborn
MEREDITH B. OSBORN
Chief Trial Deputy

5

6

FUNDS AVAILABLE:

7

8

/s/Ben Rosenfield
BEN ROSENFIELD
Controller

9

RECOMMENDED:

SAN FRANCISCO PUBLIC UTILITIES
COMMISSION

/s/
MICHAEL CARLIN
Acting General Manager

APPROVED:

/s/
DONNA HOOD
Secretary, Public Utilities Commission

10

n:\lit\li2021\160241\01545558.docx

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

City and County of San Francisco

Tails

Ordinance

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

File Number: 210992 **Date Passed:** October 26, 2021

Ordinance authorizing partial settlement of the lawsuit filed by San Francisco Motorcycle Club against the City and County of San Francisco for $310,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms in December of 2014; this settlement relates only to the diminution of real property value claims of plaintiff San Francisco Motorcycle Club, and does not include claims for property loss or for attorney's fees, costs and interest.

October 07, 2021 Government Audit and Oversight Committee - RECOMMENDED

October 19, 2021 Board of Supervisors - PASSED ON FIRST READING

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

October 26, 2021 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 210992

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 10/26/2021 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

London N. Breed
Mayor

11/5/21

Date Approved