

File No. 180633

Committee Item No. 12

Board Item No. \_\_\_\_\_

### COMMITTEE/BOARD OF SUPERVISORS

#### AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight  
Board of Supervisors Meeting:

Date: July 18, 2018

Date: \_\_\_\_\_

#### Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

#### OTHER

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Prepared by: John Carroll  
Prepared by: John Carroll

Date: July 13, 2018  
Date: \_\_\_\_\_

1 [Partial Settlement of Lawsuit - Malcolm Davis - \$28,000]

2  
3 **Ordinance authorizing settlement of the lawsuit filed by Malcolm Davis against the City**  
4 **and County of San Francisco for \$28,000; the lawsuit was filed on August 20, 2015, in**  
5 **San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v.**  
6 **City and County of San Francisco; the lawsuit involves inverse condemnation arising**  
7 **out of flooding damage during major rainstorms; as it relates only to property loss of**  
8 **plaintiff Malcolm Davis, by the payment of \$28,000, and excluding the claim by this**  
9 **plaintiff for diminution of value for plaintiff's real property and the claim by plaintiff for**  
10 **attorney's fees, costs and interest, which will be addressed in later proceedings.**

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 the action entitled David Alfaro, et al. v. City and County  
15 of San Francisco, San Francisco Superior Court, Case No. CGC-15-547492 by the payment  
16 of \$28,000. The lawsuit involves inverse condemnation arising out of flooding damage during  
17 major rainstorms.

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

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

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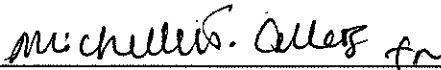
APPROVED AS TO FORM AND  
RECOMMENDED:

DENNIS J. HERRERA  
City Attorney



CHERYL ADAMS  
Chief Trial Deputy

FUNDS AVAILABLE:



BEN ROSENFELD  
Controller

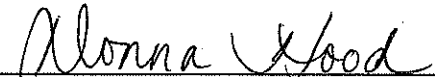
RECOMMENDED:

PUBLIC UTILITIES COMMISSION



HARLAN L. KELLY, JR.  
General Manager

APPROVED:



DONNA HOOD  
Secretary, Public Utilities Commission

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Date 6/4/18

File Number (if applicable) \_\_\_\_\_

- Legislation for Introduction (NEW)
- Legislation Pending in Committee (AMENDED)
- Legislation for Board Agenda (AMENDED)

- ▶▶▶ Legislative Clerk
- ▶▶▶ Committee Clerk
- ▶▶▶ Deputy Clerk

RECEIVED  
 BOARD OF SUPERVISORS  
 SAN FRANCISCO  
 2018 JUN -4 PM 3:20

**Supervisor, Mayor, and Departmental Submittals**

**Grant Ordinance**

- Legislation:** Original, 1 hard copy, and 1 electronic copy in **Word** format.
- Signature:** Department Head, Mayor or the Mayor's designee, plus the Controller
- Supporting documents:** 1 full set, and separate **pdf** copies of each in email
  - Cover letter (original)
  - Grant budget/application
  - Grant information form, including signed disability checklist
  - Letter of Intent or grant award letter from funding agency
  - Contract, Leases/Agreements (if applicable)
  - Ethics Form 126 (if applicable) in **Word** format
  - Other support documents as identified in the cover letter and legislation
- E-Copy of legislation/supporting documents: Sent to BOS.Legislation@sfgov.org**

**Ordinance**

- Legislation:** Original, 1 hard copy, and 1 electronic copy in **Word** format
- Signature:** City Attorney (For Settlement of Lawsuits - City Attorney, Department Head, Controller, Commission Secretary)
- Supporting documents:** 1 full set, and separate **pdf** copies of each in email
  - Cover letter (original)
  - Settlement Report/Agreement (for settlements)
  - Other support documents as identified in the cover letter and legislation
- E-Copy of legislation/supporting documents: Sent to BOS.Legislation@sfgov.org**

**Grant Resolution**

- Legislation:** Original, 1 hard copy, and 1 electronic copy in **Word** format
- Signature:** Department Head, Mayor or the Mayor's designee, plus the Controller
- Supporting documents:** 1 full set, and separate **pdf** copies of each in email
  - Cover letter (original)
  - Grant budget/application
  - Grant information form, including signed disability checklist
  - Letter of Intent or grant award letter from funding agency
  - Contract, Leases/Agreements (if applicable)
  - Ethics Form 126 (if applicable) in **Word** format
  - Other support documents as identified in the cover letter and legislation
- E-Copy of legislation/supporting documents: Sent to BOS.Legislation@sfgov.org**

**Resolution**

- Legislation:** Original, 1 hard copy, and 1 electronic copy in **Word** format
- Signature:** None (Note: Required for Settlement of Claims - City Attorney, Department Head, Controller, Commission Secretary)
- Supporting documents:** 1 full set, and separate **pdf** copies of each in email
  - Cover letter (original)
  - Settlement Report/Agreement (for settlements)
  - Other support documents as identified in the cover letter and legislation
- E-Copy of legislation/supporting documents: Sent to BOS.Legislation@sfgov.org**

Joy Perez 554-3869  
Name and Telephone Number

City Attorney  
Department