

BOARD of SUPERVISORS



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## MEMORANDUM

### RULES COMMITTEE

#### SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor David Campos, Chair  
Rules Committee

FROM: Linda Wong, Committee Clerk

DATE: November 20, 2009

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**  
Tuesday, November 24, 2009

The following file should be presented as a **COMMITTEE REPORT** at the Board meeting on Tuesday, November 24, 2009. This item was acted upon at the Committee Meeting on Thursday, November 19, 2009 at 10:00 a.m., by the vote indicated.

**Item No. 30      File No. 091076**

**Settlement of Lawsuit - Segundo Malvar Tiongco, Mares B. Peralta, Elizabeth Sarmiento, Arnulfo Tiongco, Edwina Tiongco, Nick B. Tiongco, Segundo B. Tiongco, Jr., and Wilfredo B. Tiongco - \$1,750,000**

Ordinance authorizing settlement of the lawsuit filed by Segundo Malvar Tiongco, Mares B. Peralta, Elizabeth Sarmiento, Arnulfo Tiongco, Edwina Tiongco, Nick B. Tiongco, Segundo B. Tiongco, Jr., and Wilfredo B. Tiongco against the City and County of San Francisco for \$1,750,000; the lawsuit was filed on January 16, 2009, in San Francisco Superior Court, Case No. 484-171; entitled Segundo Malvar Tiongco, Mares B. Peralta, Elizabeth Sarmiento, Arnulfo Tiongco, Edwina Tiongco, Nick B. Tiongco, Segundo B. Tiongco, Jr., and Wilfredo B. Tiongco, et al. v. City and County of San Francisco, et al.

#### RECOMMENDED AS COMMITTEE REPORT

Vote: Campos - Aye  
Daly - Aye  
Alioto-Pier - Aye

c: Angela Calvillo, Clerk of the Board  
Cheryl Adams, Deputy City Attorney  
Board of Supervisors  
Rick Caldeira, Legislative Deputy Director

File No. 091076

Committee Item No. 6

Board Item No. 30

### COMMITTEE/BOARD OF SUPERVISORS

#### AGENDA PACKET CONTENTS LIST

Committee: Rules Date November 19, 2009

Board of Supervisors Meeting Date 11/24/09

#### 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 Analyst Report                            |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Legislative Analyst Report                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Youth Commission Report                          |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Introduction Form (for hearings)                 |
| <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 SFEC-126: Notification of Contract Approval |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Award Letter                                     |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Application                                      |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Public Correspondence                            |

OTHER (Use back side if additional space is needed)

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Completed by: Alisa Somera Date November 16, 2009

Completed by: L.W. Date 11/20/09

An asterisked item represents the cover sheet to a document that exceeds 25 pages.  
The complete document can be found in the file and the online version.

1 [Settlement of Lawsuit]

2  
3 Ordinance authorizing settlement of the lawsuit filed by Segundo Malvar Tiongco,  
4 Maretes B. Peralta, Elizabeth Sarmiento, Arnulfo Tiongco, Edwina Tiongco, Nick B.  
5 Tiongco, Segundo B. Tiongco, Jr., and Wilfredo B. Tiongco against the City and County  
6 of San Francisco for \$1,750,000; the lawsuit was filed on January 16, 2009 in San  
7 Francisco Superior Court, Case No. 484-171; entitled Segundo Malvar Tiongco,  
8 Maretes B. Peralta, Elizabeth Sarmiento, Arnulfo Tiongco, Edwina Tiongco, Nick B.  
9 Tiongco, Segundo B. Tiongco, Jr., and Wilfredo B. Tiongco, et al. v. City and County of  
10 San Francisco, et al.

11  
12 Be it ordained by the People of the City and County of San Francisco:

13 Section 1. The City Attorney is hereby authorized to settle the action entitled Segundo  
14 Malvar Tiongco, Maretes B. Peralta, Elizabeth Sarmiento, Arnulfo Tiongco, Edwina Tiongco,  
15 Nick B. Tiongco, Segundo B. Tiongco, Jr., and Wilfredo B. Tiongco, et al. v. City and County  
16 of San Francisco, et al., San Francisco Superior Court, Case No. 484-171 by the payment of  
17 \$1,750,000.

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1 Section 2. The above-named action was filed in San Francisco Superior Court on  
2 January 16, 2009, and the following parties were named in the lawsuit: Segundo Malvar  
3 Tiongco, Mares B. Peralta, Elizabeth Sarmiento, Arnulfo Tiongco, Edwina Tiongco, Nick B.  
4 Tiongco, Segundo B. Tiongco, Jr., and Wilfredo B. Tiongco, Plaintiffs vs. City and County of  
5 San Francisco, Defendant.

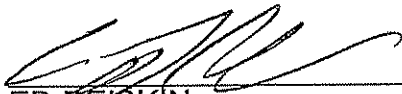
6  
7 APPROVED AS TO FORM AND  
8 RECOMMENDED:

9 DENNIS J. HERRERA  
10 City Attorney


11   
12 JOANNE HOEPER  
13 Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

14   
15 ED REISKIN  
16 Director

17 FUNDS AVAILABLE:

18   
19 BEN ROSENFELD  
20 Controller