

1 [Settlement of Lawsuit - Hans Art dba Hans Art Automotive - \$500,000]

2

3 **Ordinance authorizing partial settlement of the lawsuit filed by Hans Art dba Hans Art**
4 **Automotive against the City and County of San Francisco for \$500,000; the lawsuit was**
5 **filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492;**
6 **entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves**
7 **inverse condemnation arising out of flooding damage during major rainstorms in**
8 **December of 2014; this settlement relates only to the diminution of real property value**
9 **claims of plaintiff Hans Art dba Hans Art Automotive, and does not include claims for**
10 **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

14 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby
15 authorizes the City Attorney to settle in part, and only as to plaintiff Hans Art dba Hans Art
16 Automotive, the action entitled David Alfaro, et al. v. City and County of San Francisco, San
17 Francisco Superior Court, Case No. CGC-15-547492 by the payment of \$500,000 to plaintiff
18 Hans Art dba Hans Art Automotive. The lawsuit involves inverse condemnation arising out of
19 flooding damage during major rainstorms in December of 2014.

20

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

24

25 Section 3. This is a partial settlement of the action. It resolves the diminution of real
property value claims of commercial property owning plaintiff(s) Hans Art dba Hans Art
Automotive. The parties have previously, separately settled the personal and real property
damage claims of all property owners and diminution in value claims of residential property

1 owners in this action. The parties will subsequently and separately address all claims for
2 statutory attorney's fees relating to this action.

3

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
2 RECOMMENDED:

3 DENNIS J. HERRERA
4 City Attorney

5 /s/ Meredith B. Osborn
6 MEREDITH B. OSBORN
7 Chief Trial Deputy

8 FUNDS AVAILABLE:

9 /s/Ben Rosenfield
10 BEN ROSENFELD
11 Controller

RECOMMENDED:

SAN FRANCISCO PUBLIC UTILITIES
COMMISSION

/s/
MICHAEL CARLIN
Acting General Manager

APPROVED:

/s/
DONNA HOOD
Secretary, Public Utilities Commission

n:\lit\li2021\160241\01545555.docx

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25