

File No. 180024

Committee Item No. 7

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

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight

Date: December 7, 2017

Board of Supervisors Meeting:

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

#### Cmte Board

- |                                     |                          |  |
|-------------------------------------|--------------------------|--|
| <input type="checkbox"/>            | <input type="checkbox"/> | Motion                                       |
| <input type="checkbox"/>            | <input type="checkbox"/> | Resolution                                   |
| <input checked="" type="checkbox"/> | <input 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

\_\_\_\_\_

Prepared by: John Carroll

Date: December 2, 2017

Prepared by: \_\_\_\_\_

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

1 [Partial Settlement of Lawsuit - Cesar and Fe Ponferrada - \$34,000]

2  
3 **Ordinance authorizing settlement of the lawsuit filed by Cesar and Fe Ponferrada**  
4 **against the City and County of San Francisco for \$34,000; 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 Cesar and Fe Ponferrada, by the payment of \$34,000**  
9 **and excluding the claim by these plaintiffs for diminution of value for plaintiffs' real**  
10 **property and the claim by plaintiffs for attorney's fees, costs and interest, which will be**  
11 **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 \$34,000. 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 Cesar and Fe Ponferrada 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.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

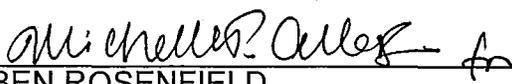
APPROVED AS TO FORM AND  
RECOMMENDED:

DENNIS J. HERRERA  
City Attorney



CHERYL ADAMS  
Chief Trial Deputy

FUNDS AVAILABLE:



BEN ROSENFELD  
Controller

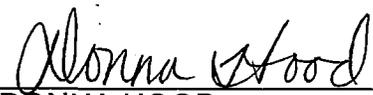
RECOMMENDED:

PUBLIC UTILITIES COMMISSION



HARLAN L. KELLY, JR.  
General Manager

APPROVED:



DONNA HOOD  
Secretary, Public Utilities Commission

n:\it\i2017\160241\01236051.docx

LEGISLATION RECEIVED CHECKLIST

Date

1/8/18

File Number (if applicable)

180024

- Legislation for Introduction (NEW)      ▶▶▶ Legislative Clerk
- Legislation Pending in Committee (AMENDED)      ▶▶▶ Committee Clerk
- Legislation for Board Agenda (AMENDED)      ▶▶▶ Deputy Clerk

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

RECEIVED  
 BOARD OF SUPERVISORS  
 SAN FRANCISCO  
 2018 JAN -8 AM 11:49

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