

1 [Partial Settlement of Lawsuit - David Alfaro and Jessica Alfaro - \$75,000]

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3 **Ordinance authorizing settlement of the lawsuit filed by David Alfaro and Jessica Alfaro**
4 **against the City and County of San Francisco for \$75,000; 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 David Alfaro and Jessica Alfaro, by the payment of**
9 **\$75,000 and excluding the claim by these plaintiffs for diminution of value for plaintiffs'**
10 **real property and the claim by plaintiffs for attorney's fees, costs and interest, which**
11 **will be addressed in later proceedings.**

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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 \$75,000. 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 David Alfaro and Jessica Alfaro of the claims. The parties will
24 subsequently and separately address the personal and real property claims of other plaintiffs
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1 to the action, all claims of diminution of property value, and all claims for statutory attorney's
2 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

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RECOMMENDED:

PUBLIC UTILITIES COMMISSION

HARLAN L. KELLY, JR.
General Manager

APPROVED:

DONNA HOOD
Secretary, Public Utilities Commission