File No.	180303	Committee Item No.	10
		Board Item No.	5

AGENDA PACKET CONTENTS LIST				
Committee: Government Audit and Oversi Board of Supervisors Meeting:	ght Date: April 18, 2018 Date: April 24, 2018			
Cmte Board    Motion	etter and/or Report			
OTHER				
Prepared by: John Carroll Date: April 13, 2018				
Prepared by: John Carroll Date: April 19, 2018				

[Partial Settlement of Lawsuit - Rick Popko and Nancy Huff - \$36,000]

Ordinance authorizing settlement of the lawsuit filed by Rick Popko and Nancy Huff against the City and County of San Francisco for \$36,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms; as it relates only to property loss of plaintiffs Rick Popko and Nancy Huff, by the payment of \$36,000, and excluding the claim by these plaintiffs for diminution of value for plaintiffs' real property and the claim by plaintiffs for attorney's fees, costs and interest, which will be addressed in later proceedings.

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

Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby authorizes the City Attorney to settle the action entitled <u>David Alfaro</u>, et al. v. City and County <u>of San Francisco</u>, San Francisco Superior Court, Case No. CGC-15-547492 by the payment of \$36,000. The lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms.

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

Section 3. This is a partial settlement of the action. It resolves the personal and real property of plaintiffs Rick Popko and Nancy Huff of the claims. The parties will subsequently and separately address the personal and real property claims of other plaintiffs to the action, all claims of diminution of property value, and all claims for statutory attorney's fees.

1	APPROVED AS TO FORM AND
2	RECOMMENDED:
3	DENNIS J. HERRERA City Attorney
4	Ceja Ca
5	CHERYL ADAMS Chief Trial Deputy
6	FUNDS AVAILABLE:
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8	BEN-ROSENFIELD
9	Controller
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RECOMMENDED:

PUBLIC UTILITIES COMMISSION

HARLAN L. KELLY, JR. General Manager

APPROVED:

DONNA HOOD
Secretary, Public Utilities Commission

City Attorney BOARD OF SUPERVISORS

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Date 3/30/18 File Number (if app	olicable)			
Legislation for Introduction (NEW)  [ ] Legislation Pending in Committee (AMENDED)  [ ] Legislation for Board Agenda (AMENDED)	<ul> <li>▶► Legislative Clerk</li> <li>▶► Committee Clerk</li> <li>▶► Deputy Clerk</li> </ul>			
Supervisor, Mayor, and Depart	mental Submittals			
Grant Ordinance				
[ ] Legislation: Original, 1 hard copy, and 1 elect [ ] Signature: Department Head; Mayor or the I [ ] Supporting documents: 1 full set, and sep [ ] Cover letter (original) [ ] Grant budget/application [ ] Grant information form, including signed dis [ ] Letter of Intent or grant award letter from fur [ ] Contract, Leases/Agreements (if applicable) [ ] Ethics Form 126 (if applicable) in Word form [ ] Other support documents as identified in the [ ] E-Copy of legislation/supporting documents Ordinance	Mayor's designee, plus the Controller arate pdf copies of each in small ability checklist adding agency are cover letter and legislation.			
Legislation: Original 1 hard copy, and 1 elect	ronic copy in Word format			
Signature: City Attorney (For Settlement of Head; Controller; Commission S	Lawsuits - City Attorney, Department ecretary)			
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Resolution				
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Department Head, Controller, C				
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[ ] Cover letter (original)				
I ] Settlement Report/Agreement (for settlements)				
[ ] Other support documents as identified in the cover letter and legislation				
[ ] E-Copy of legislation/supporting documen	ts: sent to BUS.Legislation@sfgoy.org			
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Clerk's Office/Forms/Legislation Received Checklist (1/2015) for more help go to: sfbos.org/about the board/general/legislative process handbook