

File No. 180304

Committee Item No. 11

Board Item No. 7

COMMITTEE/BOARD OF SUPERVISORS

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Committee: Government Audit and Oversight

Date: April 18, 2018

Board of Supervisors Meeting:

Date: MAY 1, 2018

Cmte Board

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- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

OTHER

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Prepared by: John Carroll

Date: April 13, 2018

Prepared by: John Carroll

Date: April 19, 2018

1 [Partial Settlement of Lawsuit - Carlos Gross - \$88,500]

2
3 **Ordinance authorizing settlement of the lawsuit filed by Carlos Gross against the City**
4 **and County of San Francisco for \$88,500; the lawsuit was filed on August 20, 2015, in**
5 **San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v.**
6 **City and County of San Francisco; the lawsuit involves inverse condemnation arising**
7 **out of flooding damage during major rainstorms; as it relates only to property loss of**
8 **plaintiff Carlos Gross, by the payment of \$88,500, and excluding the claim by this**
9 **plaintiff for diminution of value for plaintiff's real property and the claim by plaintiff for**
10 **attorney's fees, costs and interest, which will be addressed in later proceedings.**

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

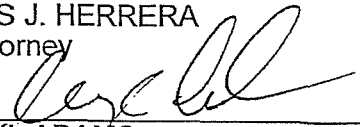
13 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby
14 authorizes the City Attorney to settle the action entitled David Alfaro, et al. v. City and County
15 of San Francisco, San Francisco Superior Court, Case No. CGC-15-547492 by the payment
16 of \$88,500. The lawsuit involves inverse condemnation arising out of flooding damage during
17 major rainstorms.

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

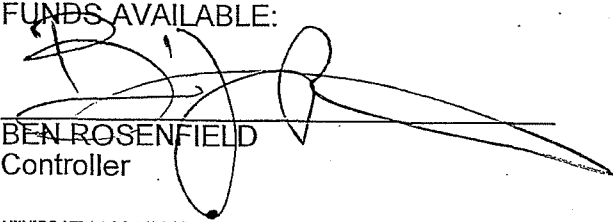
21 Section 3. This is a partial settlement of the action. It resolves the personal and real
22 property of plaintiff Carlos Gross of the claims. The parties will subsequently and separately
23 address the personal and real property claims of other plaintiffs to the action, all claims of
24 diminution of property value, and all claims for statutory attorney's 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

RECOMMENDED:

PUBLIC UTILITIES COMMISSION


HARLAN L. KELLY, JR.
General Manager

APPROVED:


DONNA HOOD
Secretary, Public Utilities Commission

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