File No. 200859

Committee Item No. 9 Board Item No.

COMMITTEE/BOARD OF SUPERVISORS

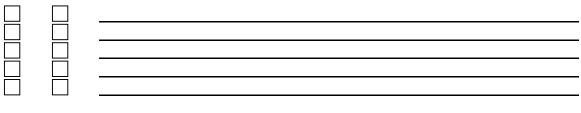
AGENDA PACKET CONTENTS LIST

Committee: <u>Government Audit and Oversight</u> **Board of Supervisors Meeting:** Date: <u>August 20, 2020</u> Date: _____

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		Motion
		Resolution
$\overline{\boxtimes}$		Ordinance
\square	П	Legislative Digest
H	H	Budget and Legislative Analyst Report
H	H	Youth Commission Report
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		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



Prepared by:	John Carroll	Ľ
Prepared by:	John Carroll	C

Date: <u>August 14, 2020</u> Date: _____ FILE NO. 200859

ORDINANCE NO.

1	[Partial Settlement of Lawsuit - Peter So and Diane Chung - \$235,000]			
2				
3	Ordinance authorizing partial settlement of the lawsuit filed by Peter So and Diane			
4	Chung against the City and County of San Francisco for \$235,000; the lawsuit was filed			
5	on 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 in December			
8	of 2014; this settlement relates only to the diminution of real property value claims of			
9	plaintiffs Peter So and Diane Chung, and does not include claims for property loss or			
10	for attorney's fees, costs and interest.			
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 in part, and only as to plaintiff Peter So and Diane			
15	Chung, the action entitled David Alfaro, et al. v. City and County of San Francisco, San			
16	Francisco Superior Court, Case No. CGC-15-547492 by the payment of \$235,000 to plaintiff			
17	Peter So and Diane Chung. The lawsuit involves inverse condemnation arising out of flooding			
18	damage during major rainstorms in December of 2014.			
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 diminution of real			
23	property value claims of plaintiffs Peter So and Diane Chung. The parties will subsequently			
24	and separately address all claims for statutory attorney's fees relating to this action.			
25				

1	APPROVED AS TO FORM AND RECOMMENDED:	RECOMMENDED:
2	DENNIS J. HERRERA	PUBLIC UTILITIES COMMISSION
3	City Attorney	
4	<u>/s/ Meredith B. Osborn</u> MEREDITH B. OSBORN	/s/ HARLAN L. KELLY, JR.
5	Chief Trial Deputy	General Manager
6	FUNDS AVAILABLE:	APPROVED:
7	/a/Dan Daganfiald	
8	<u>/s/Ben Rosenfield</u> BEN ROSENFIELD	
9	Controller	Secretary, Public Utilities Commission
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