File No. 200869

Committee Item No. <u>20</u> Board Item No. \_\_\_\_\_

## COMMITTEE/BOARD OF SUPERVISORS

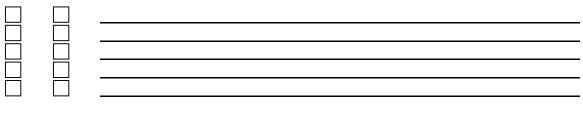
AGENDA PACKET CONTENTS LIST

Committee: <u>Government Audit and Oversight</u> Board of Supervisors Meeting: Date: <u>Sept. 3, 2020</u> Date: \_\_\_\_\_

## **Cmte Board**

		Motion
$\square$		Resolution
$\overline{\boxtimes}$		Ordinance
$\square$	Ē	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	
Prepared by:	John Carroll	

Date:	August 28, 2020
Date:	

FILE NO. 200869

ORDINANCE NO.

1	[Partial Settlement of Lawsuit - John Clay - \$250,000]		
2			
3	Ordinance authorizing partial settlement of the lawsuit filed by John Clay against the		
4	City and County of San Francisco for \$250,000; 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 in December		
8	of 2014; this settlement relates only to the diminution of real property value claims of		
9	plaintiff John Clay, and does not include claims for property loss or for attorney's fees,		
10	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 John Clay, the action		
15	entitled David Alfaro, et al. v. City and County of San Francisco, San Francisco Superior		
16	Court, Case No. CGC-15-547492 by the payment of \$250,000 to plaintiff John Clay. The		
17	lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms		
18	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 plaintiff John Clay. The parties will subsequently and separately		
24	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		
8	<u>/s/Ben Rosenfield</u> BEN ROSENFIELD	/s/ Donna hood
9	Controller	Secretary, Public Utilities Commission
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