File No. 200861

Committee Item No. <u>12</u> Board Item No. \_\_\_\_\_

## COMMITTEE/BOARD OF SUPERVISORS

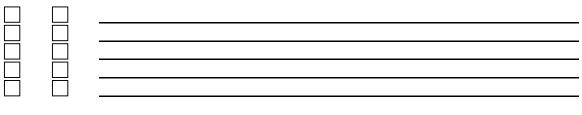
AGENDA PACKET CONTENTS LIST

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

## **Cmte Board**

		Motion
		Resolution
$\square$	$\square$	Ordinance
Ē	$\square$	Legislative Digest
H	П	Budget and Legislative Analyst Report
		Youth Commission Report
		Introduction Form
		Department/Agency Cover Letter and/or Report
		MOU
		Grant Information Form
		Grant Budget
$\square$	$\square$	Subcontract Budget
$\square$	$\Box$	Contract/Agreement
	$\Box$	Form 126 – Ethics Commission
		Award Letter
Π	Π	Application
		Public Correspondence

## OTHER



Prepared by:	John Carroll	
Prepared by:	John Carroll	

Date:	August 28, 2020
Date:	

FILE NO. 200861

ORDINANCE NO.

1	[Partial Settlement of Lawsuit - Rick Popko and Nancy Huff - \$150,000]		
2			
3	Ordinance authorizing partial settlement of the lawsuit filed by Rick Popko and Nancy		
4	Huff against the City and County of San Francisco for \$150,000; 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 Rick Popko and Nancy Huff, 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 plaintiffs Rick Popko and Nancy		
15	Huff, 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 \$150,000 to plaintiffs		
17	Rick Popko and Nancy Huff. The lawsuit involves inverse condemnation arising out of		
18	flooding 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 Rick Popko and Nancy Huff. The parties have previously,		
24	separately settled the personal and real property damage claims of plaintiffs Rick Popko and		
25			

1	Nancy Huff in this action (see Board Ordinance No. 108-18), and will subsequently and
2	separately address all claims for statutory attorney's fees relating to this action.
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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	<u>/s/</u> Donna hood
9	Controller	Secretary, Public Utilities Commission
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