File No. 200875

Committee Item No. <u>26</u> Board Item No. <u>22</u>

## COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

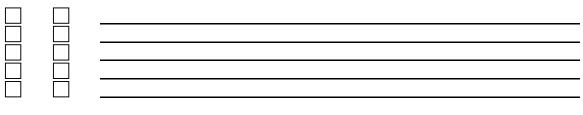
Committee: <u>Government Audit and Oversight</u> Board of Supervisors Meeting: 
 Date:
 Sept. 3, 2020

 Date:
 Sept. 15, 2020

## **Cmte Board**

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

## OTHER



Prepared by:	John Carroll	Date:	August 28, 2020
Prepared by:	John Carroll	Date:	Sept. 11, 2020

FILE NO. 200875

ORDINANCE NO.

1	[Partial Settlement of Lawsuit - David and Jessica Alfaro - \$290,000]		
2			
3	Ordinance authorizing partial settlement of the lawsuit filed by David and Jessica		
4	Alfaro against the City and County of San Francisco for \$290,000; 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 David and Jessica Alfaro, and does not include claims for property loss or for		
10	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 David and Jessica Alfaro,		
15	the action entitled David Alfaro, et al. v. City and County of San Francisco, San Francisco		
16	Superior Court, Case No. CGC-15-547492 by the payment of \$290,000 to plaintiffs David and		
17	Jessica Alfaro. The lawsuit involves inverse condemnation arising out of flooding damage		
18	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 David and Jessica Alfaro. The parties have previously,		
24	separately settled the personal and real property damage claims of plaintiffs David and		
25			

1	Jessica Alfaro in this action (see Board Ordinance No. 42-18), and will subsequently and
2	separately address all claims for statutory attorney's fees relating to this action.
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	

1	APPROVED AS TO FORM AND RECOMMENDED:	RECOMMENDED:	
2	DENNIS J. HERRERA	PUBLIC UTILITIES COMMISSION	
3	City Attorney		
4	/s/ Meredith B. Osborn		
5	MEREDITH B. OSBORN Chief Trial Deputy	HARLAN L. KELLY, JR. General Manager	
6	FUNDS AVAILABLE:	APPROVED:	
7			
8	<u>/s/Ben Rosenfield</u> BEN ROSENFIELD	/s/ Donna hood	
9	Controller	Secretary, Public Utilities Commission	
10	n:\lit\li2020\160241\01443770.docx		
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			