File No. 200863

Committee Item No. <u>14</u> Board Item No. <u>10</u>

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

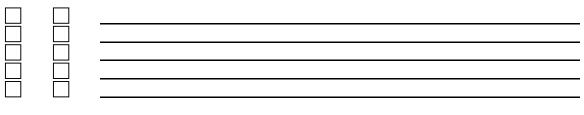
Committee: <u>Government Audit and Oversight</u> Board of Supervisors Meeting:
 Date:
 Sept. 3, 2020

 Date:
 Sept. 22, 2020

Cmte Board

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

OTHER



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

FILE NO. 200863

ORDINANCE NO.

1	[Partial Settlement of Lawsuit - John and Maria Naniola - \$290,000]		
2			
3	Ordinance authorizing partial settlement of the lawsuit filed by John and Maria Naniola		
4	against the City and County of San Francisco for \$290,000; 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	plaintiffs John and Maria Naniola, 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 John and Maria Naniola,		
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 John and		
17	Maria Naniola. 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 John and Maria Naniola. The parties have previously,		
24	separately settled the personal and real property damage claims of plaintiffs John and Maria		
25			

1	Naniola in this action (see Board Ordinance No. 111-18), 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	/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
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