File No. <u>210988</u>

Committee Item No. <u>12</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:
 Oct. 7, 2021

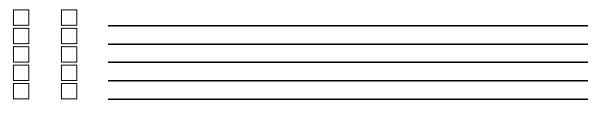
 Date:
 Oct. 26, 2021

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		Motion
П	H	Resolution
\bowtie	\square	Ordinance
\square		
		Legislative Digest
		Budget and Legislative Analyst Report
		Youth Commission Report
\square	\square	Introduction Form
\square	\square	Department/Agency Cover Letter and/or Report
\square		MOU
\square	\Box	Grant Information Form
\square	\square	Grant Budget
		Subcontract Budget
	\square	Contract/Agreement
		Form 126 – Ethics Commission
H	H	
		Award Letter
		Application
		Dublic Comerce and an ac

Public Correspondence

OTHER



Prepared by:	John Carroll	Date:	Oct. 1, 2021
Prepared by:	John Carroll	Date:	Oct. 15, 2021
Prepared by:	John Carroll	Date:	

FILE NO. 210988

ORDINANCE NO.

1	[Settlement of Lawsuit - Hans Art dba Hans Art Automotive - \$500,000]		
2			
3	Ordinance authorizing partial settlement of the lawsuit filed by Hans Art dba Hans Art		
4	Automotive against the City and County of San Francisco for \$500,000; the lawsuit was		
5	filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492;		
6	entitled <u>David Alfaro, et al. v. City and County of San Francisco;</u> the lawsuit involves		
7	inverse condemnation arising out of flooding damage during major rainstorms in		
8	December of 2014; this settlement relates only to the diminution of real property value		
9	claims of plaintiff Hans Art dba Hans Art Automotive, and does not include claims for		
10	property loss or 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 Hans Art dba Hans Art		
15	Automotive, 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 \$500,000 to plaintiff		
17	Hans Art dba Hans Art Automotive. 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 commercial property owning plaintiff(s) Hans Art dba Hans Art		
24	Automotive. The parties have previously, separately settled the personal and real property		
25	damage claims of all property owners and diminution in value claims of residential property		

owners in this action. The parties will subsequently and separately address all claims for
statutory attorney's fees relating to this action.

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