File No. <u>210989</u>

Committee Item No. <u>13</u> Board Item No. <u>11</u>

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: <u>Government Audit and Oversight</u> Board of Supervisors Meeting:
 Date:
 Oct. 7, 2021

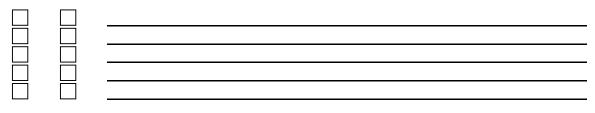
 Date:
 Oct. 26, 2021

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		Motion
П	H	Resolution
\bowtie	\square	Ordinance
\square		
		Legislative Digest
		Budget and Legislative Analyst Report
		Youth Commission Report
\square	\Box	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. 210989

ORDINANCE NO.

1	[Settlement of Lawsuit - Chris Hickey - \$1,150,000]			
2				
3	Ordinance authorizing partial settlement of the lawsuit filed by Chris Hickey against the			
4	City and County of San Francisco for \$1,150,000; the lawsuit was filed on August 20,			
5	2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled <u>David Alfaro,</u>			
6	et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation			
7	arising out of flooding damage during major rainstorms in December of 2014; this			
8	settlement relates only to the diminution of real property value claims of plaintiffs Chris			
9	Hickey, and does not include claims for property loss or for attorney's fees, costs and			
10	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 Chris Hickey, 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 \$1,150,000 to plaintiff Chris Hickey. 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 commercial property owning plaintiff Chris Hickey. The parties will			
24	subsequently and separately address all claims for statutory attorney's fees relating to this			
25	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			
8	<u>/s/Ben Rosenfield</u> BEN ROSENFIELD	/s/ Donna hood	
9	Controller	Secretary, Public Utilities Commission	
10			
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