

1 [Partial Settlement of Lawsuit - Susan Garduno - \$105,000]

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3 **Ordinance authorizing settlement of the lawsuit filed by Susan Garduno against the**  
4 **City and County of San Francisco for \$105,000; the lawsuit was filed on August 20,**  
5 **2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro,**  
6 **et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation**  
7 **arising out of flooding damage during major rainstorms; as it relates only to property**  
8 **loss of plaintiff Susan Garduno, by the payment of \$105,000, and excluding the claim**  
9 **by this plaintiff for diminution of value for plaintiff's real property and the claim by**  
10 **plaintiff for attorney's fees, costs and interest, which will be addressed in later**  
11 **proceedings.**

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13 Be it ordained by the People of the City and County of San Francisco:

14 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby  
15 authorizes the City Attorney to settle the action entitled David Alfaro, et al. v. City and County  
16 of San Francisco, San Francisco Superior Court, Case No. CGC-15-547492 by the payment  
17 of \$105,000. The lawsuit involves inverse condemnation arising out of flooding damage  
18 during major rainstorms.

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 personal and real  
23 property claims of plaintiff Susan Garduno. The parties will subsequently and separately  
24 address the personal and real property claims of other plaintiffs to the action, all claims of  
25 diminution of property value, and all claims for statutory attorney's fees.

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APPROVED AS TO FORM AND  
RECOMMENDED:

DENNIS J. HERRERA  
City Attorney



CHERYL ADAMS  
Chief Trial Deputy

FUNDS AVAILABLE:



BEN ROSENFELD  
Controller

RECOMMENDED:

PUBLIC UTILITIES COMMISSION



HARLAN L. KELLY, JR.  
General Manager

APPROVED:



DONNA HOOD  
Secretary, Public Utilities Commission

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**City and County of San Francisco**  
**Tails**  
**Ordinance**

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

**File Number:** 190004

**Date Passed:** March 05, 2019

Ordinance authorizing settlement of the lawsuit filed by Susan Garduno against the City and County of San Francisco for \$105,000; the lawsuit was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-547492; entitled David Alfaro, et al. v. City and County of San Francisco; the lawsuit involves inverse condemnation arising out of flooding damage during major rainstorms; as it relates only to property loss of plaintiff Susan Garduno, by the payment of \$105,000 and excluding the claim by this plaintiff for diminution of value for plaintiff's real property and the claim by plaintiff for attorney's fees, costs and interest, which will be addressed in later proceedings.

February 07, 2019 Government Audit and Oversight Committee - RECOMMENDED

February 26, 2019 Board of Supervisors - PASSED ON FIRST READING

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee


March 05, 2019 Board of Supervisors - FINALLY PASSED

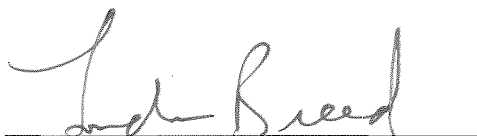
Ayes: 10 - Brown, Fewer, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

Absent: 1 - Haney

File No. 190004

I hereby certify that the foregoing  
Ordinance was FINALLY PASSED on  
3/5/2019 by the Board of Supervisors of the  
City and County of San Francisco.

  
\_\_\_\_\_  
Angela Calvillo  
Clerk of the Board

  
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London N. Breed  
Mayor

  
\_\_\_\_\_  
Date Approved