

File No. 160933 Committee Item No. 19
 Board Item No. 9

COMMITTEE/BOARD OF SUPERVISORS
 AGENDA PACKET CONTENTS LIST

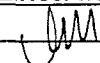
Committee: Government Audit and Oversight Date September 15, 2016

Board of Supervisors Meeting Date 10/4/16
 Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

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Completed by: Erica Major Date September 9, 2016
 Completed by:  Date 1/19/2016

1 [Settlement of Lawsuit and Supplemental Appropriation - Encompass Insurance Company -
2 \$1,250,000]

3 **Ordinance authorizing settlement of the lawsuit filed by Encompass Insurance**
4 **Company against the City and County of San Francisco for \$1,250,000; the lawsuit was**
5 **filed on April 2, 2014, in San Francisco Superior Court, Case No. CGC-14-538395;**
6 **entitled Encompass Insurance Company v. City and County of San Francisco, et al.; the**
7 **lawsuit involves alleged property damage arising from the break of the Public Utilities**
8 **Commission's water transmission pipeline on 15th Avenue between West Portal**
9 **Avenue and Wawona Street in San Francisco; and appropriating \$1,250,000 from the**
10 **Water Enterprise fund balance for such purpose.**

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 the action entitled Encompass Insurance Company v.
15 City and County of San Francisco, et al., San Francisco Superior Court, Case No. CGC-14-
16 538395 by the payment of \$1,250,000. The lawsuit involves alleged property damage from
17 the break of the SFPUC's water transmission pipeline on 15th Avenue between West Portal
18 Avenue and Wawona Street in San Francisco.

19 Section 2. The above-named action was filed in San Francisco Superior Court on April
20 2, 2014, and the following parties were named in the lawsuit: Plaintiff: Encompass Insurance
21 Company; Defendants: City and County of San Francisco, Precision Engineering, Inc.

22 Section 3. The Board herein appropriates \$1,250,000 from the Water Enterprise fund
23 balance for use by the San Francisco Public Utilities Commission for purposes of settling the
24 litigation.

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APPROVED AS TO FORM AND
RECOMMENDED:

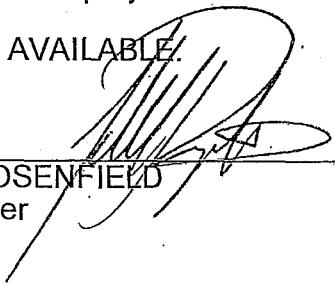
DENNIS J. HERRERA
City Attorney



CHERYL ADAMS
Chief Trial Deputy

FUNDS AVAILABLE

BEN ROSENFELD
Controller



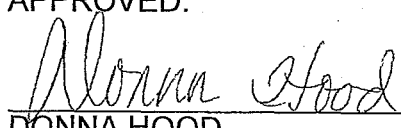
RECOMMENDED:

PUBLIC UTILITIES COMMISSION



HARLAN L. KELLY
General Manager

APPROVED:



DONNA HOOD
Secretary, Public Utilities Commission

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LEGISLATION RECEIVED CHECKLIST

Date 8/26/16 File Number (if applicable) _____

- Legislation for Introduction (NEW) ▶▶▶ Legislative Clerk
- Legislation Pending in Committee (AMENDED) ▶▶▶ Committee Clerk
- Legislation for Board Agenda (AMENDED) ▶▶▶ Deputy Clerk

Supervisor, Mayor, and Departmental Submittals

Grant Ordinance:

- Legislation: Original, 1 hard copy, and 1 electronic copy in Word format
- Signature: Department Head, Mayor or the Mayor's designee, plus the Controller
- Supporting documents: 1 full set, and separate pdf copies of each in email
 - Cover letter (original)
 - Grant budget/application
 - Grant information form, including signed disability checklist
 - Letter of Intent or grant award letter from funding agency
 - Contract, Leases/Agreements (if applicable)
 - Ethics Form 126 (if applicable) in Word format
 - Other support documents as identified in the cover letter and legislation
- E-Copy of legislation/supporting documents: Sent to BOS.Legislation@sfgov.org

Ordinance:

- Legislation: Original, 1 hard copy, and 1 electronic copy in Word format
- Signature: City Attorney (For Settlement of Lawsuits - City Attorney, Department Head, Controller, Commission Secretary)
- Supporting documents: 1 full set, and separate pdf copies of each in email
 - Cover letter (original)
 - Settlement Report/Agreement (for settlements)
 - Other support documents as identified in the cover letter and legislation
- E-Copy of legislation/supporting documents: Sent to BOS.Legislation@sfgov.org

Grant Resolution

- Legislation: Original, 1 hard copy, and 1 electronic copy in Word format
- Signature: Department Head, Mayor or the Mayor's designee, plus the Controller
- Supporting documents: 1 full set, and separate pdf copies of each in email
 - Cover letter (original)
 - Grant budget/application
 - Grant information form, including signed disability checklist
 - Letter of Intent or grant award letter from funding agency
 - Contract, Leases/Agreements (if applicable)
 - Ethics Form 126 (if applicable) in Word format
 - Other support documents as identified in the cover letter and legislation
- E-Copy of legislation/supporting documents: Sent to BOS.Legislation@sfgov.org

Resolution

- Legislation: Original, 1 hard copy, and 1 electronic copy in Word format
- Signature: None (Note: Required for Settlement of Claims - City Attorney, Department Head, Controller, Commission Secretary)
- Supporting documents: 1 full set, and separate pdf copies of each in email
 - Cover letter (original)
 - Settlement Report/Agreement (for settlements)
 - Other support documents as identified in the cover letter and legislation
- E-Copy of legislation/supporting documents: Sent to BOS.Legislation@sfgov.org

Jay Perez 554-3869
Name and Telephone Number

City Attorney
Department

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2016 AUG 26 PM 3:46