

File No. 161055 Committee Item No. 4
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight Date October 28, 2016

Board of Supervisors Meeting Date _____

Cmte Board

- | | | |
|-------------------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input checked="" type="checkbox"/> | <input 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 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 October 24, 2016
Completed by: _____ Date _____

1 [Settlement of Lawsuit and Supplemental Appropriation - Theodore A. Bowie, II - \$500,000]

2
3 **Ordinance authorizing settlement of the lawsuit filed by Theodore A. Bowie, II against**
4 **the City and County of San Francisco for \$500,000; the lawsuit was filed on October 17,**
5 **2014, in San Francisco Superior Court, Case No. CGC-14-542235; entitled Theodore A.**
6 **Bowie, II v. City and County of San Francisco, et al.; the lawsuit involves alleged**
7 **property damage arising from the break of the Public Utilities Commission's water**
8 **transmission pipeline on 15th Avenue between West Portal Avenue and Wawona Street**
9 **in San Francisco; and appropriating \$500,000 from the Water Enterprise fund balance**
10 **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 Theodore A. Bowie, II v. City and
15 County of San Francisco, et al., San Francisco Superior Court, Case No. CGC-14-542235 by
16 the payment of \$500,000. The lawsuit involves alleged property damage from the break of
17 the San Francisco Public Utilities Commission's (SFPUC) water transmission pipeline on 15th
18 Avenue between West Portal Avenue and Wawona Avenue in San Francisco.


19 Section 2. The above-named action was filed in San Francisco Superior Court on
20 October 17, 2014, and the following parties were named in the lawsuit: Plaintiff: Theodore A.
21 Bowie, II; Defendants: City and County of San Francisco and Precision Engineering, Inc.

22 Section 3. The Board herein appropriates \$500,000 from the Water Enterprise fund
23 balance for use by the SFPUC for purposes of settling the litigation.

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APPROVED AS TO FORM AND
RECOMMENDED:

DENNIS J. HERRERA
City Attorney

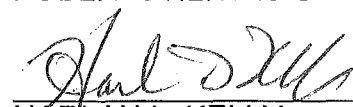

CHERYL ADAMS
Chief Trial Deputy

FUNDS AVAILABLE:

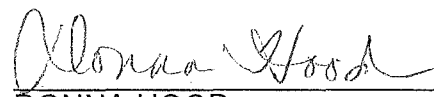

BEN ROSENFELD
Controller

RECOMMENDED:

PUBLIC UTILITIES COMMISSION


HARLAN L. KELLY
General Manager

APPROVED:


DONNA HOOD
Secretary, Public Utilities Commission

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