

1 [Settlement of Lawsuit and Supplemental Appropriation - State Farm General Insurance
2 Company - \$875,000]

3 **Ordinance authorizing settlement of the lawsuit filed by State Farm General Insurance**
4 **Company against the City and County of San Francisco for \$875,000; the lawsuit was**
5 **filed on January 21, 2014, in San Francisco Superior Court, Case No. CGC-14-536896;**
6 **entitled State Farm General Insurance Company v. City and County of San Francisco,**
7 **et al.; the lawsuit involves alleged property damage arising from the break of the Public**
8 **Utilities Commission's water transmission pipeline on 15th Avenue between West**
9 **Portal Avenue and Wawona Street in San Francisco; and appropriating \$875,000 from**
10 **the 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 State Farm General Insurance
15 Company v. City and County of San Francisco, et al., San Francisco Superior Court, Case
16 No. CGC-14-536896 by the payment of \$875,000. The lawsuit involves alleged property
17 damage from the break of the San Francisco Public Utilities Commission's (SFPUC) water
18 transmission pipeline on 15th Avenue between West Portal Avenue and Wawona Avenue in
19 San Francisco.

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

24 Section 3. The Board herein appropriates \$875,000 from the Water Enterprise fund
25 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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LEGISLATION RECEIVED CHECKLIST

Date

10/3/16

File Number (if applicable)

161053, 161054

- 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

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 OFFICE OF SUPERVISORS
 SAN FRANCISCO
 2016 OCT -3 AM 11:42

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
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 - 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

Joy Perez 554-3869

Name and Telephone Number

City Attorney

Department

Clerk's Office/Forms/Legislation Received Checklist (1/2015) for more help go to: sfbos.org/about the board/general/legislative process handbook