

1 [Settlement of Lawsuit - Pacific Bell Telephone Company, and AT&T Services, Inc.
2 - \$852,057.22]

3 **Ordinance authorizing settlement of the lawsuit filed by Pacific Bell Telephone**
4 **Company, and AT&T Services, Inc. against the City and County of San Francisco**
5 **for \$852,057.22; the lawsuit was filed on October 4, 2016, in San Francisco Superior**
6 **Court, Case No. CGC-16-554661; entitled Pacific Bell Telephone Company, and AT&T**
7 **Services, Inc. v. City and County of San Francisco and Does 1 to 100; the lawsuit**
8 **involves damage to real and personal property caused by two alleged flooding events**
9 **at 30 Onondaga Street; and appropriating San Francisco Public Utilities Commission**
10 **funds for payment of the settlement amount.**

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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 Pacific Bell Telephone Company, and
15 AT&T Services, Inc. v. City and County of San Francisco and Does 1 to 100, San Francisco
16 Superior Court, Case No. Case No. CGC-16-554661 by the payment of \$852,057.22. The
17 lawsuit involves damage to real and personal property caused by two alleged flooding events
18 at 30 Onondaga Street.

19 Section 2. The above-named action was filed in San Francisco Superior Court on
20 October 4, 2016, and the following parties were named in the lawsuit: Pacific Bell Telephone
21 Company, and AT&T Services, Inc., Plaintiffs, City and County of San Francisco and Does 1
22 to 100, Defendants.

23 Section 3. The source of funding herein appropriated for use by the San Francisco
24 Public Utilities Commission (SFPUC) for purposes of this settlement payment is the SFPUC
25 Water Enterprise fund balance.

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APPROVED AS TO FORM AND
RECOMMENDED:

DENNIS J. HERRERA
City Attorney

CHERY ADAMS
Chief Trial Deputy

FUNDS AVAILABLE:

BEN ROSENFELD
Controller

RECOMMENDED:

PUBLIC UTILITIES COMMISSION

HARLAN L. KELLY, JR.
General Manager

APPROVED:

DONNA HOOD
Commission Secretary

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