

File No. 160244 Committee Item No. 6
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight Date April 21, 2016

Board of Supervisors Meeting Date _____
Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

OTHER (Use back side if additional space is needed)

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Completed by: Erica Major Date April 15, 2016
Completed by: _____ Date _____

1 [Settlement of Lawsuit - Kai Yuan and Jian Ping Yuan - \$175,000]

2
3 **Ordinance authorizing settlement of the lawsuit filed by Kai Yuan and Jian Ping Yuan**
4 **against the City and County of San Francisco for \$175,000; the lawsuit was filed on**
5 **December 31, 2013, in San Francisco Superior Court, Case No. CGC-13-536533**
6 **(consolidated with CGC-14-536903); entitled Kai Yuan, et al. v. City and County of San**
7 **Francisco, et al.; the lawsuit involves an alleged dangerous condition of public**
8 **property causing death; other material terms of said settlement are that the Municipal**
9 **Transportation Agency is to also pay \$175,000, subject to approval by the Municipal**
10 **Transportation Agency Board, and co-defendant Gina Eunice to pay \$50,000 (insurance**
11 **coverage limits).**

12
13 Be it ordained by the People of the City and County of San Francisco:

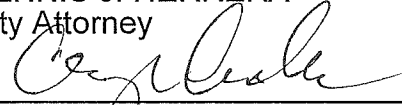
14 Section 1. Pursuant to Charter, Section 6.102(5), the Board of Supervisors hereby
15 authorizes the City Attorney to settle the action entitled Kai Yuan, et al. v. City and County of
16 San Francisco, et al., San Francisco Superior Court, Case No. CGC-13-536533 (consolidated
17 with CGC-14-536903) by the payment of \$175,000; other material terms of said settlement
18 are that the Municipal Transportation Agency is to also pay \$175,000, subject to approval by
19 the Municipal Transportation Agency Board, and co-defendant Gina Eunice to pay \$50,000
20 (insurance coverage limits). The lawsuit involves an alleged dangerous condition of public
21 property causing death.

22 Section 2. The above-named action was filed in San Francisco Superior Court on
23 December 31, 2013, and the following parties were named in the lawsuit: Plaintiffs: Kai Yuan
24 and Jian Ping Yuan, Defendants: City and County of San Francisco and Gina Eunice.
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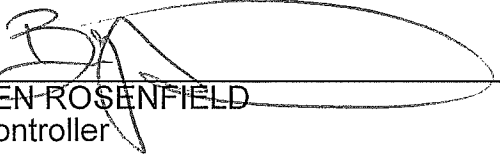
APPROVED AS TO FORM AND
RECOMMENDED:

DENNIS J. HERRERA
City Attorney



CHERYL ADAMS
Chief Trial Deputy

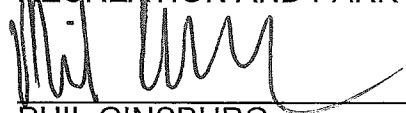
FUNDS AVAILABLE:



BEN ROSENFELD
Controller

RECOMMENDED:

RECREATION AND PARK



PHIL GINSBURG
General Manager

APPROVED:



MARGARET MCARTHUR
Secretary, Recreation and Park Commission

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LEGISLATION RECEIVED CHECKLIST

Date 3/8/16 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 City Attorney
 Name and Telephone Number Department