File No	160244	Committee Item No. 6 Board Item No. 4	-			
	COMMITTEE/BOARD OF SUPERVISORS					
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Committee:	Government Audit and Oversight	Date April 21, 2016				
Board of Supervisors Meeting Date <u>NN 3 7016</u>						
Cmte Board						
	Motion					
	Resolution					
\square	Ordinance	· ·				
	Legislative Digest					
	Budget and Legislative Analyst Repo	ort				
	Youth Commission Report					
\mathbf{X}	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					
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Completed by: Erica Major Date April 15, 2016						
	Completed by: NM Date 4/26/2016					

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

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

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

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

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

1	APPROVED AS TO FORM AN RECOMMENDED:	, 1D	RECOMMENDED:	;
3 4	DENNIS J. HERRERA City Attorney		REGREATION AND PA	RK.
5	CHERYL ADAMS Chief Trial Deputy		PHIL GINSBURG General Manager	
6	FUNDS AVAILABLE:		APPROVED:	
7	PW		Margaret an	neque
8	BEN-ROSENFIELD		MARGARIET MCARTHU	JR
9	Controller		Secretary, Recreation a	nd Park Commission
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City Attorney BOARD OF SUPERVISORS

LEGISLATION RECEIVED CHECKLIST Date 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) 1 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 L 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 1 full set, and separate pdf copies of each in email [] Supporting documents: [] 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 I 1 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 None (Note: Required for Settlement of Claims - City Attorney, [] Signature: 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

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

Name and Telephone Number