File No	161054	Committee Item No.	3
		Board Item No.	

COMMITTEE/BOARD OF SUPERVISORS

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Committee:	Government Audit and Oversight	_ Date	October 28, 2016			
Board of Sup Cmte Board	pervisors Meeting	. Date	•			
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OTHER	(Use back side if additional space	is need	ed)			
Completed by: Erica Major Date October 24, 2016 Completed by: Date						

[Settlement of Lawsuit and Supplemental Appropriation - Christopher Pollino and Cindy Coyne - \$525,000]

Ordinance authorizing settlement of the lawsuit filed by Christopher Pollino and Cindy Coyne against the City and County of San Francisco for \$525,000; the lawsuit was filed on October 17, 2014, in San Francisco Superior Court, Case No. CGC-14-542240; entitled Christopher Pollino, et al. v. City and County of San Francisco, et al.; the lawsuit involves alleged property damage from the break of the Public Utilities Commission's water transmission pipeline on 15th Avenue between West Portal Avenue and Wawona Street in San Francisco; and appropriating \$525,000 from the Water Enterprise fund balance for such purpose.

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 <u>Christopher Pollino</u>, et al. v. City and <u>County of San Francisco</u>, et al., San Francisco Superior Court, Case No. CGC-14-542240 by the payment of \$525,000. The lawsuit involves alleged property damage from the break of the San Francisco Public Utilities Commission's (SFPUC) water transmission pipeline on 15th Avenue between West Portal Avenue and Wawona Avenue in San Francisco.

Section 2. The above-named action was filed in San Francisco Superior Court on October 17, 2014, and the following parties were named in the lawsuit: Plaintiffs: Christopher Pollino and Cindy Coyne; Defendants: City and County of San Francisco and Precision Engineering, Inc.

Section 3. The Board herein appropriates \$525,000 from the Water Enterprise fund 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 ROSENFIELD Controller RECOMMENDED:

PUBLIC UTILITIES COMMISSION

HARLAN L. KELLY General Manager

APPROVED:

DONNA HOOD

Secretary, Public Utilities Commission

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