File No.	161055	Committee Item No	4
_		Board Item No.	4

COMMITTEE/BOARD OF SUPERVISORS

•	AGENDA PACKET CONTEI	NIS LI	81
Committee:	Government Audit and Oversight	Date	October 28, 2016
Board of Supe Cmte Board	ervisors Meeting	Date	NOVAMBER 15, 2016
	Motion Resolution Prdinance Regislative Digest Rudget and Legislative Analyst Report Pouth Commission Report Production Form Repartment/Agency Cover Letter and MOU Prant Information Form Prant Budget Public Correspondence		port
OTHER (Use back side if additional space is ı	neede	d)
Completed by Completed by		Octo VI/1	ber 24, 2016

[Settlement of Lawsuit and Supplemental Appropriation - Theodore A. Bowie, II - \$500,000]

Ordinance authorizing settlement of the lawsuit filed by Theodore A. Bowie, Il against the City and County of San Francisco for \$500,000; the lawsuit was filed on October 17, 2014, in San Francisco Superior Court, Case No. CGC-14-542235; entitled Theodore A.
Bowie, Il v. City and County of San Francisco, et al.; the lawsuit involves alleged property damage arising 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 \$500,000 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>Theodore A. Bowie, II v. City and County of San Francisco</u>, et al., San Francisco Superior Court, Case No. CGC-14-542235 by the payment of \$500,000. 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: Plaintiff: Theodore A. Bowie, II; Defendants: City and County of San Francisco and Precision Engineering, Inc.

Section 3. The Board herein appropriates \$500,000 from the Water Enterprise fund balance for use by the SFPUC for purposes of settling the litigation.

1	APPROVED AS TO FORM AND RECOMMENDED:	RECOMMENDED:
3	DENNIS J. HERRERA City Aftorney	PUBLIC UTILITIES
4	CHERYL ADAMS	Harlan Kelly
5	Chief Trial Deputy	General Manager
6 -	FUNDS AVAILABLE:	APPROVED:
7	BAR	(Xlonga X)
8	BEN ROSENPIELD Controller	DONNA HOOD Secretary, Public Uti
9	Controller	_ Secretary, r ublic of
10	- WW.0040450470104400540	
11	n:\lit\li2016\150479\01123512.docx	
12		
3		
14		
15		
16		
17		
18		
19	The second secon	
20		
21		
22		
23		
24		

COMMISSION

ilities Commission

City Attorney BOARD OF SUPERVISORS

25

D=t=	10/2/	// ₂	File Number (if on			•
Date	101011		File Number (if ap	piicable) _	1059	
[] Leg	gislation Pend	troduction (NE ling in Commit oard Agenda (tee (AMENDED)		Legislative Clerk Committee Clerk Deputy Clerk	q
		ıpervisor, M	ayor, and Depar	tmental Si	ubmittals	
[] L [] S [] S [] []	Signature: Supporting d J Cover lette J Grant bude J Grant infor Letter of Ir J Contract, I J Ethics For	Department I- ocuments: er (original) get/application mation form, i tent or grant a _eases/Agreer m 126 (if appli port document		Mayor's des arate pdf co ability chec nding agend) nat e cover lette	signee, plus the Co opies of each in em klist cy	0CT -3 MIII: 41
ינו Ordinar	:	Aisiarioineahl	Jording document	s. Sent to	DO3.Legislation@	ysigov.org
A A	Legislation: Signature: Supporting of Cover lett Settlemer Other sup	City Attorney Head, Contro locuments: er (original) It Report/Agree port documen	rd copy, and 1 elect (For Settlement of bller, Commission S 1 full set, and sep ement (for settlements as identified in the porting document	Lawsuits - (secretary) parate pdf o ents) se cover lett	City Attorney, Depa opies of each in en er and legislation	nail
I^{-}	Resolution		.			,
	Legislation: Signature: Supporting [] Cover lett [] Grant bud [] Grant info [] Letter of I [] Contract, [] Ethics Fo [] Other sup E-Copy of letters	Department documents: er (original) dget/application rmation form, ntent or grant Leases/Agree rm 126 (if app		Mayor's deparate pdf of sability checunding agents mat he cover letter	signee, plus the Co copies of each in er cklist cy er and legislation	nail
Resolu 11		Original 1 h	ard copy, and 1 ele	ctronic con	in Word format	
[]	Signature:	None (Note:	Required for Settle Head, Controller, C	ment of Cla Commission	ims - City Attorney	
[]	[] Cover let [] Settleme [] Other su	ter (original) nt Report/Agre oport documer egislation/sur) H Z 50	eement (for settlements as identified in the porting documents of the settlements of the	ents) he cover let	ter and legislation	

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