File No. <u>180638</u>

Committee Item No. <u>13</u> Board Item No. \_\_\_\_\_

# COMMITTEE/BOARD OF SUPERVISORS

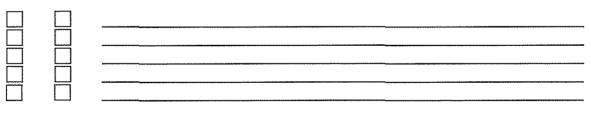
AGENDA PACKET CONTENTS LIST

**Committee:** <u>Government Audit and Oversight</u> **Board of Supervisors Meeting:**  

## **Cmte Board**

	Motion
	Resolution
$\boxtimes$	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



Prepared by:	John Carroll	Date: _J
Prepared by:	John Carroll	Date:

Date: July 13, 2018

FILE NO. 180638

#### ORDINANCE NO.

[Settlement of Lawsuit - John H. Aspelin and Barbara J. Kaplan-Aspelin - \$199,353]

Ordinance authorizing settlement of the lawsuit filed by John H. Aspelin and Barbara J. Kaplan-Aspelin against the City and County of San Francisco for \$199,353; the lawsuit was filed on December 29, 2016, in San Francisco Superior Court, Case No. CGC-16-556207; entitled John H. Aspelin and Barbara J. Kaplan-Aspelin v. City and County of San Francisco and Does 1 Through 50, Inclusive; the lawsuit involves damage to real property and personal property caused by an alleged flooding event at 1 Justin Drive; and appropriating San Francisco Public Utilities Commission funds for payment of the settlement amount.

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 John H. Aspelin and Barbara J. <u>Kaplan-Aspelin v. City and County of San Francisco and Does 1 Through 50, Inclusive</u>, San Francisco Superior Court, Case No. CGC-16-556207 by the payment of \$199,353. The lawsuit involves damage to real property and personal property caused by an alleged flooding event at 1 Justin Drive.

Section 2. The above-named action was filed in San Francisco Superior Court on December 29, 2016, and the following parties were named in the lawsuit: John H. Aspelin and Barbara J. Kaplan-Aspelin, Plaintiffs, City and County of San Francisco and Does 1 Through 50, Inclusive, Defendants.

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

City Attorney BOARD OF SUPERVISORS

1	APPROVED AS TO FORM AND	RE
2	RECOMMENDED:	
3	DENNIS J. HERRERA	PU
4	City Attorney	<i>(</i> (
5	CHERYL ADAMS Chief Trial Deputy	HA1 Ger
6	FUNDS AVAILABLE:	APF
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### COMMENDED:

BLIC UTILITIES COMMISSION

RLAN L. KELLY, JR. neral Manager

PROVED:

NNA HOOD mmission Secretary

Date	6/1//18	File Numbe	er (if applicable)	·	
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