

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

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3 **Ordinance authorizing settlement of the lawsuit filed by Theodore A. Bowie, II against**
4 **the City and County of San Francisco for \$500,000; the lawsuit was filed on October 17,**
5 **2014, in San Francisco Superior Court, Case No. CGC-14-542235; entitled Theodore A.**
6 **Bowie, II v. City and County of San Francisco, et al.; the lawsuit involves alleged**
7 **property damage arising from the break of the Public Utilities Commission's water**
8 **transmission pipeline on 15th Avenue between West Portal Avenue and Wawona Street**
9 **in San Francisco; and appropriating \$500,000 from the Water Enterprise fund balance**
10 **for such purpose.**

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

13 Section 1. Pursuant to Charter, Section 6.102(5), the Board of Supervisors hereby
14 authorizes the City Attorney to settle the action entitled Theodore A. Bowie, II v. City and
15 County of San Francisco, et al., San Francisco Superior Court, Case No. CGC-14-542235 by
16 the payment of \$500,000. The lawsuit involves alleged property damage from the break of
17 the San Francisco Public Utilities Commission's (SFPUC) water transmission pipeline on 15th
18 Avenue between West Portal Avenue and Wawona Avenue in San Francisco.

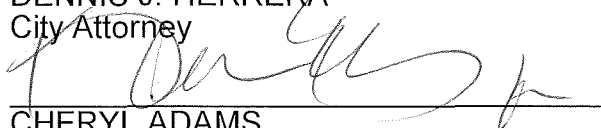
19 Section 2. The above-named action was filed in San Francisco Superior Court on
20 October 17, 2014, and the following parties were named in the lawsuit: Plaintiff: Theodore A.
21 Bowie, II; Defendants: City and County of San Francisco and Precision Engineering, Inc.

22 Section 3. The Board herein appropriates \$500,000 from the Water Enterprise fund
23 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 ROSENFELD
Controller

RECOMMENDED:

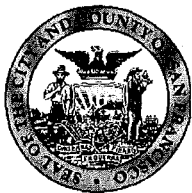
PUBLIC UTILITIES COMMISSION


HARLAN L. KELLY
General Manager

APPROVED:


DONNA HOOD
Secretary, Public Utilities Commission

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City and County of San Francisco

Tails Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 161055

Date Passed: November 29, 2016

Ordinance authorizing settlement of the lawsuit filed by Theodore A. Bowie, II 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, II 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.

October 28, 2016 Government Audit and Oversight Committee - RECOMMENDED..

November 15, 2016 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 9 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin and Tang
Excused: 2 - Wiener and Yee

November 29, 2016 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

File No. 161055

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 11/29/2016 by the Board of Supervisors of the City and County of San Francisco.

Handwritten signature of Angela Calvillo
Angela Calvillo
Clerk of the Board

Handwritten signature of Mayor
Mayor

12/9/16

Date Approved