

1 [Settlement of Lawsuit and Supplemental Appropriation - First National Insurance Company of  
2 America - \$405,000]

3 **Ordinance authorizing settlement of the lawsuit filed by First National Insurance**  
4 **Company of America against the City and County of San Francisco for \$405,000; the**  
5 **lawsuit was filed on February 13, 2015, in San Francisco Superior Court, Case No.**  
6 **CGC-15-544117; entitled First National Insurance Company of America v. City and**  
7 **County of San Francisco, et al.; the lawsuit involves alleged water main break and**  
8 **flooded property; and appropriating \$405,000 from the Water Enterprise fund balance**  
9 **for such purpose.**

10  
11 Be it ordained by the People of the City and County of San Francisco:

12 Section 1. Pursuant to Charter, Section 6.102(5), the Board of Supervisors hereby  
13 authorizes the City Attorney to settle the action entitled First National Insurance Company of  
14 America v. City and County of San Francisco, et al., San Francisco Superior Court, Case No.  
15 CGC-15-544117 by the payment of \$405,000. The lawsuit involves alleged water main break  
16 and flooded property.

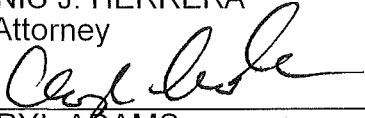
17 Section 2. The above-named action was filed in San Francisco Superior Court on  
18 February 13, 2015, and the following parties were named in the lawsuit: Plaintiff: First  
19 National Insurance Company of America; Defendants: City and County of San Francisco and  
20 Precision Engineering, Inc.

21 Section 3. The Board herein appropriates \$405,000 from the Water Enterprise fund  
22 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

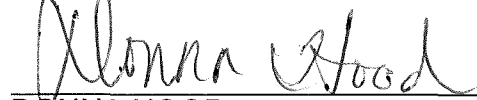
RECOMMENDED:

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:** 161141

**Date Passed:** December 06, 2016

Ordinance authorizing settlement of the lawsuit filed by First National Insurance Company of America against the City and County of San Francisco for \$405,000; the lawsuit was filed on February 13, 2015, in San Francisco Superior Court, Case No. CGC-15-544117; entitled First National Insurance Company of America v. City and County of San Francisco, et al.; the lawsuit involves alleged water main break and flooded property; and appropriating \$405,000 from the Water Enterprise fund balance for such purpose.

November 17, 2016 Government Audit and Oversight Committee - RECOMMENDED

November 29, 2016 Board of Supervisors - PASSED, ON FIRST READING

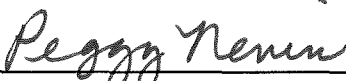
Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

December 06, 2016 Board of Supervisors - FINALLY PASSED


Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang and Yee

File No. 161141

**I hereby certify that the foregoing Ordinance was FINALLY PASSED on 12/6/2016 by the Board of Supervisors of the City and County of San Francisco.**

  
for **Angela Calvillo**  
Clerk of the Board

  
\_\_\_\_\_  
**Mayor**

  
\_\_\_\_\_  
**Date Approved**