

1 [Settlement of Lawsuit]

2

3 **Ordinance authorizing settlement of the two lawsuits filed by the United States of**

4 **America against the City and County of San Francisco for \$7,000,000; the two lawsuits**

5 **were filed on August 22, 2005 and September 6, 2007 in the United States District Court**

6 **for the Eastern District of California, Case No. 2:05 CV 01693 entitled United States of**

7 **America v. City and County of San Francisco, et al. and Case No. 1:07 CV 01300 entitled**

8 **United States of America v. City and County of San Francisco, et al. and appropriating**

9 **\$7,000,000 of fund balance from the Hetch Hetchy Fund for this purpose**

10

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

12 Section 1. The City Attorney is hereby authorized to settle the two actions entitled

13 United States of America v. City and County of San Francisco, et al., United States District

14 Court for the Eastern District of California, Case No. 2:05 CV 01693 and United States of

15 America v. City and County of San Francisco, et al., United States District Court for the

16 Eastern District of California, Case No. 1:07 CV 01300 by the payment of \$7,000,000; and

17 \$7,000,000 is available in fund balance from the Hetch Hetchy Fund, and is herein

18 appropriated for this use.

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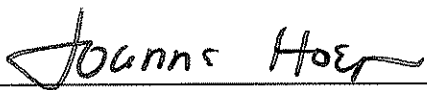
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1 Section 2. The above-named actions were filed in United States District Court for the
2 Eastern District of California on August 22, 2005 and September 6, 2007, and the following
3 parties were named in the lawsuit: Plaintiff United States of America and Defendant City and
4 County of San Francisco.

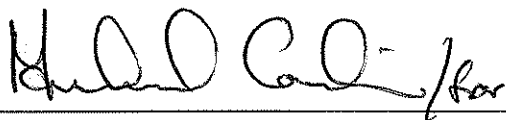
5 APPROVED AS TO FORM AND
6 RECOMMENDED:

7 DENNIS J. HERRERA
8 City Attorney

9 
10 _____
11 JOANNE HOEPER
12 Chief Trial Deputy

RECOMMENDED:

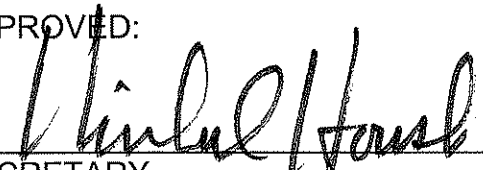
PUBLIC UTILITIES COMMISSION

8 
9 _____
10 ED HARRINGTON
11 General Manager

12 FUNDS AVAILABLE:

13 
14 _____
15 BEN ROSENFELD
16 Controller

APPROVED:

17 
18 _____
19 SECRETARY
20 Public Utilities Commission



City and County of San Francisco

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

Tails Ordinance

File Number: 090899

Date Passed:

Ordinance authorizing settlement of the two lawsuits filed by the United States of America against the City and County of San Francisco for \$7,000,000; the two lawsuits were filed on August 22, 2005, and September 6, 2007, in the United States District Court for the Eastern District of California, Case No. 2:05 CV 01693 entitled United States of America v. City and County of San Francisco, et al. and Case No. 1:07 CV 01300 entitled United States of America v. City and County of San Francisco, et al. and appropriating \$7,000,000 of fund balance from the Hetch Hetchy Fund for this purpose.

August 11, 2009 Board of Supervisors — PASSED, ON FIRST READING

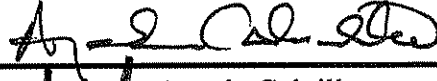
Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

August 18, 2009 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Elsbernd, Mar, Maxwell, Mirkarimi
Excused: 1 - Dufty

File No. 090899

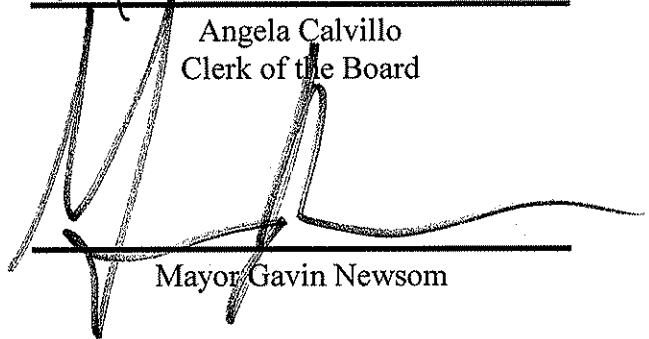
I hereby certify that the foregoing Ordinance was **FINALLY PASSED** on August 18, 2009 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board

8.27.09

Date Approved



Mayor Gavin Newsom