

1 [Settlement Of Lawsuit]

2

3 **Ordinance authorizing settlement of the lawsuit filed by Restore Hetch Hetchy against**

4 **the City and County of San Francisco for \$1,700.00; the lawsuit was filed on July 24,**

5 **2003 in San Francisco Superior Court, Case No. 503-306; entitled Restore Hetch Hetchy**

6 **v. San Francisco Board of Supervisors et al.; other material terms of said settlement**

7 **are that the City and County of San Francisco and San Francisco Public Utilities**

8 **Commission agree to remain neutral on Petitioner's efforts to seek funding for**

9 **preparation of a study assessing the feasibility of restoring the Hetch Hetchy Valley.**

10 **The San Francisco Public Utilities Commission reserves the right to comment on any**

11 **restrictions, requirements or regulations that would be imposed on the Department by**

12 **a funding source as a prerequisite to the appropriation of those funds.**

13

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

15 Section 1. The City Attorney is hereby authorized to settle the action entitled "Restore

16 Hetch Hetchy v. San Francisco Board of Supervisors, et al.", San Francisco Superior Court No.

17 503-306 by the payment of \$1,700.00 and agreement to the following statement:

18 For a period of three years from the effective date of this Ordinance, the City and

19 County of San Francisco and the San Francisco Public Utilities Commission ("SFPUC") agree

20 to remain neutral on Restore Hetch Hetchy's efforts to seek state, federal or private funding

21 for the preparation of feasibility studies for restoring Hetch Hetchy Valley in Yosemite National

22 Park, while meeting the reliability and quality of service objectives for water supply and

23 electric power established by the SFPUC. The SFPUC reserves the right to comment or

24 respond to any and all proposed restrictions, requirements, or regulations that would be

25

Supervisor Gonzalez
OFFICE OF THE CITY ATTORNEY
BOARD OF SUPERVISORS

1 imposed upon the SFPUC by a funding source as a prerequisite to the appropriation of those
2 funds for the preparation of feasibility studies.

3 Section 2. The above-named action was filed in San Francisco Superior Court on July
4 24, 2003, and the following parties were named in the lawsuit: Restore Hetch Hetchy,
5 Petitioners; and San Francisco Board of Supervisors, San Francisco Planning Commission,
6 San Francisco Planning Department, and San Francisco Public Utilities Commission,
7 Respondents; and San Francisco Public Utilities Commission, Real Party in Interest.

10 APPROVED AS TO FORM AND
11 RECOMMENDED:

12 DENNIS J. HERRERA
13 City Attorney

14 
JUDITH A. BOYAJIAN

RECOMMENDED:

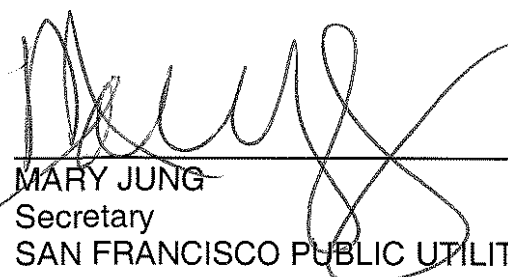
SAN FRANCISCO PUBLIC UTILITIES
COMMISSION

15 
PATRICIA MARTEL
General Manager

16 FUNDS AVAILABLE:

17 
18 EDWARD HARRINGTON
19 Controller

APPROVED:

20 
MARY JUNG
Secretary
SAN FRANCISCO PUBLIC UTILITIES
COMMISSION

21 Index Code: 326108



City and County of San Francisco

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

Tails Ordinance

File Number: 031690

Date Passed:

Ordinance authorizing settlement of the lawsuit filed by Restore Hetch Hetchy against the City and County of San Francisco for \$1,700.00; the lawsuit was filed on July 24, 2003 in San Francisco Superior Court, Case No. 503-306; entitled Restore Hetch Hetchy v. San Francisco Board of Supervisors et al.; other material terms of said settlement are that the City and County of San Francisco and San Francisco Public Utilities Commission agree to remain neutral on Petitioner's efforts to seek funding for preparation of a study assessing the feasibility of restoring the Hetch Hetchy Valley. The San Francisco Public Utilities Commission reserves the right to comment on any restrictions, requirements or regulations that would be imposed on the Department by a funding source as a prerequisite to the appropriation of those funds.

November 4, 2003 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

November 18, 2003 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval


Excused: 1 - Ammiano

File No. 031690


I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on November 18,
2003 by the Board of Supervisors of the City
and County of San Francisco.

NOV 26 2003

Date Approved



Gloria L. Young
Clerk of the Board



Mayor Willie L. Brown Jr.

