File No.	150778	Committee Item No.	5
_		Board Item No.	10

COMMITTEE/BOARD OF SUPERVISORS

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Committee:	Government Audit and Oversight	Date	September 1	7, 2015		
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	Motion	•		•		
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	Budget and Legislative Analyst Rep	ort				
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[Settlement of Unlitigated Claim - Pacific Gas and Electric Company - City to Receive \$2,200,000]

Resolution approving settlement of the unlitigated claim in favor of the City and County of San Francisco against Pacific Gas and Electric Company for \$2,200,000.

WHEREAS, Pacific Gas and Electric Company ("PG&E") has agreed to the settlement of an unlitigated claim by the City and County of San Francisco ("City") against PG&E, calling for PG&E's payment of \$2,200,000 to the City; and

WHEREAS, This unlitigated claim involves PG&E's failure timely to identify and relocate underground facilities that conflicted with the San Francisco Public Utilities

Commission's North Shore to Channel Force Main Improvement Project ("Spear Street and Market Plaza conflicts"); and

WHEREAS, PG&E has agreed to the settlement in exchange for the City's full and final release of all claims arising from the Spear Street and Market Plaza conflicts; and

WHEREAS, Separate and apart from this settlement, the City is also litigating other North Shore conflict issues, which litigated claims are not addressed by this Resolution; and

WHEREAS, PG&E and the City agree that each should bear its own costs and fees; and

WHEREAS, The San Francisco Public Utilities Commission recommends the settlement; now, therefore, be it

RESOLVED, That pursuant to Administrative Code Section 10.24, the Board of Supervisors hereby authorizes the City Attorney to settle and compromise the claim by PG&E's payment to the City of \$2,200,000.

APPROVED:
DENNIS J. HERRERA
City Attorney
Elseine Neil
ELAINE O'NEIL
Deputy City Attorney
Construction and Public Contracting Team
Leader

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RECOMMENDED:

SAN FRANCISCO PUBLIC UTILITIES COMMISSION

HARLAN L. KELLY, JR.

General Manager of the San Francisco Public Utilities Commission

APPROVED:

DONNA HOOD

Commission Secretary

LEGISLATION RECEIVED CHECKLIST							
Date File Number (if applicable)							
Legislation for Introduction (NEW) [] Legislation Pending in Committee (AMENDED) [] Legislation for Board Agenda (AMENDED) Deputy Clerk Deputy Clerk Deputy Clerk Deputy Clerk							
Supervisor, Mayor, and Departmental Submittals							
Grant Ordinance [] Legislation: Original, 1 hard copy, and 1 electronic copy in Word format [] Signature: Department Head, Mayor or the Mayor's designee, plus the Controller [] Supporting documents: 1 full set, and separate pdf copies of each in email [] Cover letter (original) [] Grant budget/application [] Grant information form, including signed disability checklist [] Letter of Intent or grant award letter from funding agency [] Contract, Leases/Agreements (if applicable) [] Ethics Form 126 (if applicable) in Word format [] Other support documents as identified in the cover letter and legislation@sfgov.org	3						
Ordinance	٠						
 Legislation: Original, 1 hard copy, and 1 electronic copy in Word format Signature: City Attorney (For Settlement of Lawsuits - City Attorney, Department Head, Controller, Commission Secretary) Supporting documents: 1 full set, and separate pdf copies of each in email Cover letter (original) Settlement Report/Agreement (for settlements) Other support documents as identified in the cover letter and legislation E-Copy of legislation/supporting documents: Sent to BOS.Legislation@sfgov.org Grant Resolution Legislation: Original, 1 hard copy, and 1 electronic copy in Word format]						
 Signature: Department Head, Mayor or the Mayor's designee, plus the Controller Supporting documents: 1 full set, and separate pdf copies of each in email Cover letter (original) Grant budget/application Grant information form, including signed disability checklist Letter of Intent or grant award letter from funding agency Contract, Leases/Agreements (if applicable) Ethics Form 126 (if applicable) in Word format Other support documents as identified in the cover letter and legislation E-Copy of legislation/supporting documents: Sent to BOS.Legislation@sfgov.org 							
Resolution							
Legislation: Original, 1 hard copy, and 1 electronic copy in Word format None (Note: Required for Settlement of Claims - City Attorney, Department Head, Controller, Commission Secretary)	•						
Supporting documents: 1 full set, and separate pdf copies of each in email Cover letter (original) Settlement Report/Agreement (for settlements) Other support documents as identified in the cover letter and legislation E-Copy of legislation/supporting documents: Sent to BOS.Legislation@sfgov.org	3						
Joy Perez 55-4-3869 City Albuney							
Name and Telephone Number Department							

. Clerk's Office/Forms/Legislation Received Checklist (1/2015) for more help go to: sfbos.org/about the board/general/legislative process handbook