

1 [Settlement Of Lawsuit]

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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.**

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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

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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.

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10 APPROVED AS TO FORM AND  
11 RECOMMENDED:

12 DENNIS J. HERRERA  
13 City Attorney

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15 JUDITH A. BOYAJIAN

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17 FUNDS AVAILABLE:

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21 EDWARD HARRINGTON  
22 Controller

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RECOMMENDED:

SAN FRANCISCO PUBLIC UTILITIES  
COMMISSION

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PATRICIA MARTEL  
General Manager

APPROVED:

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MARY JUNG  
Secretary  
SAN FRANCISCO PUBLIC UTILITIES  
COMMISSION