

1 [Settlement of Unlitigated Claim - Pacific Gas and Electric Company - City to Receive  
2 \$2,200,000]

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

5  
6 WHEREAS, Pacific Gas and Electric Company ("PG&E") has agreed to the settlement  
7 of an unlitigated claim by the City and County of San Francisco ("City") against PG&E, calling  
8 for PG&E's payment of \$2,200,000 to the City; and

9 WHEREAS, This unlitigated claim involves PG&E's failure timely to identify and  
10 relocate underground facilities that conflicted with the San Francisco Public Utilities  
11 Commission's North Shore to Channel Force Main Improvement Project ("Spear Street and  
12 Market Plaza conflicts"); and

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

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

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

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

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

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APPROVED:

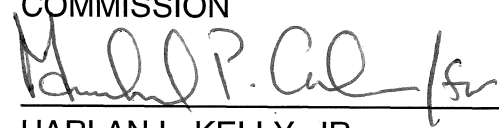
DENNIS J. HERRERA  
City Attorney



ELAINE O'NEIL  
Deputy City Attorney  
Construction and Public Contracting Team  
Leader


RECOMMENDED:

SAN FRANCISCO PUBLIC UTILITIES  
COMMISSION



HARLAN L. KELLY, JR.  
General Manager of the San Francisco Public  
Utilities Commission

APPROVED:



DONNA HOOD  
Commission Secretary

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**City and County of San Francisco**

**Tails  
Resolution**

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

**File Number:** 150778

**Date Passed:** September 29, 2015

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.

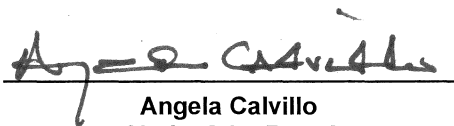
September 17, 2015 Government Audit and Oversight Committee - RECOMMENDED..


September 29, 2015 Board of Supervisors - ADOPTED

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

File No. 150778

I hereby certify that the foregoing Resolution was ADOPTED on 9/29/2015 by the Board of Supervisors of the City and County of San Francisco.

  
Angela Calvillo  
Clerk of the Board

  
Mayor

  
Date Approved