

1 [Class Action Suit Against Paint Manufacturers]

2 **URGING THE CITY ATTORNEY OF THE CITY AND COUNTY OF SAN FRANCISCO TO**  
3 **REVIEW THE CLASS ACTION SUIT FILED BY SANTA CLARA COUNTY AGAINST PAINT**  
4 **MANUFACTURERS TO RECOVER COMPENSATORY DAMAGES ASSOCIATED WITH**  
5 **LEAD-BASED PAINT POISONING, CONSIDER JOINING THE SUIT AND REPORT BACK**  
6 **TO THE BOARD OF SUPERVISORS REGARDING HER DECISION IN THIS MATTER.**

7 WHEREAS, On March 23, 2000, the County of Santa Clara filed a class action suit  
8 against Atlantic Richfield Company, Lead Industries Association, Inc., American Cyanamid  
9 Company, E.I. Du Pont De Nemours and Company, the O'Brien Corporation, the Glidden  
10 Company, NL Industries, Inc., SCM Chemicals, and the Sherwin Williams Company for  
11 violations of business and professional code, strict product liability - failure to warn,  
12 negligence, fraud and concealment, unjust enrichment, and indemnity; and

13 WHEREAS, The aforementioned defendants are the manufacturers of lead pigments  
14 and lead paint and one of their trade associations; and

15 WHEREAS, Lead paint in minute amounts can reduce children's ability to learn, think,  
16 grow, behave and develop normally; and

17 WHEREAS, Severe levels of lead exposure in children can cause coma, convulsions,  
18 and even death; and

19 WHEREAS, Pre-1979 homes with lead paint are major sources of childhood lead  
20 poisoning today; and

21 WHEREAS, 94% of San Francisco's housing was built before 1979, and at least 75 to  
22 80% of the City's housing was painted with lead, the highest percentage of lead painted  
23 housing in California and among the highest percentages in the nation; and

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1           WHEREAS, Large numbers of children in San Francisco have elevated levels of lead in  
2 their blood, especially children living in disadvantaged communities, based on information  
3 from the Department of Public Health; and

4           WHEREAS, The hazards of lead paint have been known to the lead pigment and paint  
5 industries for roughly one hundred years; and

6           WHEREAS, The aforementioned defendants continued producing and marketing lead  
7 paint in spite of this knowledge; and

8           WHEREAS, The aforementioned defendants have engaged in a pattern of deceit and  
9 misinformation to assure the public that lead paint was safe, so that they could continue to sell  
10 lead paint and reap substantial profits; and

11           WHEREAS, The aforementioned defendants engaged in a concerted campaign against  
12 proposed government regulations, including public health warnings; and

13           WHEREAS, In addition to children suffering from exposure to lead paint, San  
14 Franciscans pay the price of these children's lower productivity, special education, reduced  
15 lifetime earnings, and anti-social behavior; and

16           WHEREAS, The City and County of San Francisco pays for abatement programs to  
17 remove lead paint from buildings and playgrounds, programs educating the public on the  
18 harmful effects of lead paint, special education programs, and increased health costs; now,  
19 therefore, be it

20           RESOLVED, That the San Francisco Board of Supervisors urges the City Attorney to  
21 review the class action suit filed by Santa Clara County against paint manufacturers to recover  
22 compensatory damages associated with lead-based paint poisoning, consider joining the suit  
23 and report back to the Board of Supervisors regarding her decision in this matter.

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25           **SUPERVISOR AMMIANO**



# City and County of San Francisco

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

## Tails

## Resolution

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**File Number:** 000584

**Date Passed:**

Resolution urging the City Attorney of the City and County of San Francisco to review the class action suit filed by Santa Clara County against paint manufacturers to recover compensatory damages associated with lead-based paint poisoning, consider joining the suit and report back to the Board of Supervisors regarding her decision in this matter.

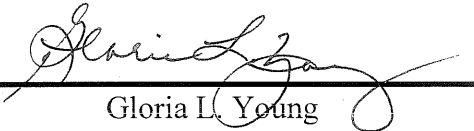
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April 10, 2000 Board of Supervisors — ADOPTED

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

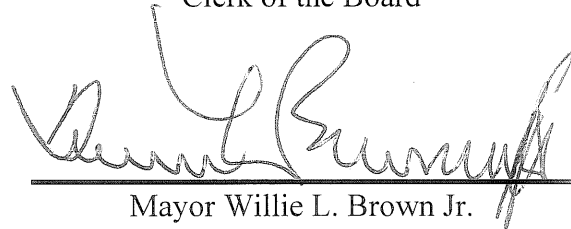
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I hereby certify that the foregoing Resolution was ADOPTED on April 10, 2000 by the Board of Supervisors of the City and County of San Francisco.

  
Gloria L. Young  
Clerk of the Board

APR 21 2000

Date Approved

  
Mayor Willie L. Brown Jr.