

1 [Settlement of Lawsuit - Bay Area Air Quality Management District - \$31,400]

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3 **Ordinance authorizing settlement of the lawsuit filed by The People of the State of**  
4 **California, by and through the Bay Area Air Quality Management District, against the**  
5 **City and County of San Francisco for \$31,400; the lawsuit was filed on March 27, 2012,**  
6 **in San Francisco Superior Court, Case No. CPF-12-512078; entitled The People of the**  
7 **State of California, by and through the Bay Area Air Quality Management District v. The**  
8 **City and County of San Francisco; other material terms of said settlement are that the**  
9 **settlement is a stipulated civil penalty that is allocated between the Fire Department**  
10 **(\$30,000), subject to Board of Supervisors approval, and the Municipal Transportation**  
11 **Agency (\$1,400), subject to Municipal Transportation Agency approval.**

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

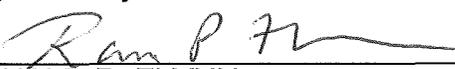
14 Section 1. Pursuant to Charter section 6.102(5), the Board of Supervisors hereby  
15 authorizes the City Attorney to settle the action entitled The People of the State of California,  
16 by and through the Bay Area Air Quality Management District v. The City and County of San  
17 Francisco, San Francisco Superior Court, Case No. CPF-12-512078 by the payment of  
18 \$30,000 as a stipulated civil penalty by the San Francisco Fire Department, along with the  
19 payment of \$1,400 as a stipulated civil penalty by the San Francisco Municipal Transportation  
20 Agency.

21 Section 2. The above-named action was filed in San Francisco Superior Court on  
22 March 27, 2012, and the following parties were named in the lawsuit: The People of the State  
23 of California, by and through the Bay Area Air Quality Management District, and The City and  
24 County of San Francisco.

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APPROVED AS TO FORM AND  
RECOMMENDED:

DENNIS J. HERRERA  
City Attorney



RONALD P. FLYNN  
Chief of Complex and Affirmative Litigation

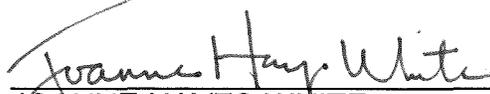
FUNDS AVAILABLE:



BEN ROSENFELD  
Controller

RECOMMENDED:

SAN FRANCISCO FIRE DEPARTMENT



JOANNE HAYES-WHITE  
Chief of Department

APPROVED:



MAUREEN CONEFREY  
Secretary, Fire Commission

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**City and County of San Francisco**  
**Tails**  
**Ordinance**

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

**File Number:** 150045

**Date Passed:** March 24, 2015

Ordinance authorizing settlement of the lawsuit filed by The People of the State of California, by and through the Bay Area Air Quality Management District, against the City and County of San Francisco for \$31,400; the lawsuit was filed on March 27, 2012, in San Francisco Superior Court, Case No. CPF-12-512078; entitled The People of the State of California, by and through the Bay Area Air Quality Management District v. The City and County of San Francisco; other material terms of said settlement are that the settlement is a stipulated civil penalty that is allocated between the Fire Department (\$30,000), subject to Board of Supervisors approval, and the Municipal Transportation Agency (\$1,400), subject to Municipal Transportation Agency approval.

March 05, 2015 Government Audit and Oversight Committee - RECOMMENDED

March 17, 2015 Board of Supervisors - PASSED ON FIRST READING

Ayes: 8 - Breed, Campos, Christensen, Cohen, Farrell, Kim, Tang and Yee

Excused: 3 - Avalos, Mar and Wiener

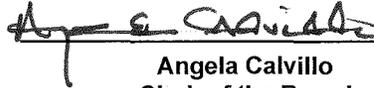
March 24, 2015 Board of Supervisors - FINALLY PASSED

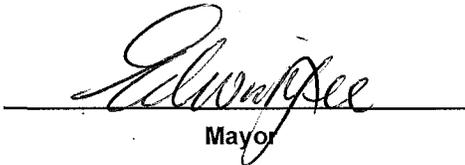
Ayes: 9 - Breed, Campos, Christensen, Cohen, Farrell, Kim, Tang, Wiener and Yee

Excused: 2 - Avalos and Mar

File No. 150045

I hereby certify that the foregoing  
Ordinance was FINALLY PASSED on  
3/24/2015 by the Board of Supervisors of  
the City and County of San Francisco.

  
Angela Calvillo  
Clerk of the Board

  
Mayor

4/2/15  
Date Approved