

1 [Settlement Of Lawsuit]
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3 **Ordinance authorizing settlement of attorney's fees and costs in the lawsuit filed by**
4 **Waterkeepers Northern California dba San Francisco Baykeeper, Arc Ecology, and the**
5 **San Francisco League of Conservation Voters against the City and County of San**
6 **Francisco, and John L. Martin, Paul Maltzer and Kandace Bender in their official**
7 **capacities, for \$145,000.00 in attorney's fees and \$4,298.13 in costs; the lawsuit was**
8 **filed on August 8, 2002 in San Francisco Superior Court, Case No. 501511; entitled**
9 **Waterkeepers Northern California, et al., v. City and County of San Francisco, et al.**

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

12 Section 1. The City Attorney is hereby authorized to settle the action entitled
13 Waterkeepers Northern California, et al., v. City and County of San Francisco, et al., San
14 Francisco Superior Court, Case No. 501511 by the payment of \$145,000.00 in attorney's fees
15 and \$4,298.13 in costs to the Environmental Law and Justice Clinic.

16 Section 2. The above-named action was filed in San Francisco Superior Court on
17 August 8, 2002, and the following parties were named in the lawsuit: Waterkeepers Northern
18 California dba San Francisco Baykeeper, Arc Ecology, the San Francisco League of
19 Conservation Voters, the City and County of San Francisco, John L. Martin in his capacity as
20 San Francisco Airport Director, Paul Maltzer, in his capacity as the San Francisco
21 Environmental Review Officer, and Kandace Bender, in her capacity as the San Francisco
22 Airport Communications Director.

23 Section 3. On June 2, 2003, the San Francisco Airport Commission approved
24 settlement of the attorney's fees and costs in this case for \$149,298.13.
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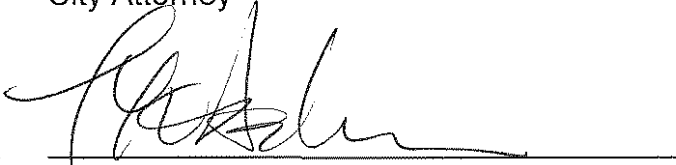
1 Section 4. The funds for the proposed settlement are available in the Airport's City
2 Attorney's budget.

3 APPROVED AS TO FORM:

RECOMMENDED:

4 DENNIS J. HERRERA
5 City Attorney

DENNIS J. HERRERA
City Attorney

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8 TERESA L. STRICKER
Deputy City Attorney

THERESE M. STEWART
Chief Deputy City Attorney

9 FUNDS AVAILABLE:

APPROVED:

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12 EDWARD HARRINGTON
13 Controller

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15 JEAN CARAMATTI
16 Airport Commission

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City and County of San Francisco

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

Tails Ordinance

File Number: 031080

Date Passed:

Ordinance authorizing settlement of attorney's fees and costs in the lawsuit filed by Waterkeepers Northern California dba San Francisco Baykeeper, Arc Ecology, and the San Francisco League of Conservation Voters against the City and County of San Francisco, and John L. Martin, Paul Maltzer and Kandace Bender in their official capacities, for \$145,000.00 in attorney's fees and \$4,298.13 in costs; the lawsuit was filed on August 8, 2002 in San Francisco Superior Court, Case No. 501511; entitled Waterkeepers Northern California, et al., v. City and County of San Francisco, et al.

July 22, 2003 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 9 - Ammiano, Daly, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin,
Sandoval


Absent: 2 - Dufty, Hall

July 29, 2003 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick,
Newsom, Peskin, Sandoval

File No. 031080


I hereby certify that the foregoing Ordinance was **FINALLY PASSED** on July 29, 2003 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board

AUG 08 2003

Date Approved



Mayor Willie L. Brown Jr.