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[Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit, County of Alameda, Alameda County Flood Control and Water Conservation District v. City and County of San Francisco, for declaratory and injunctive relief, and costs of suit including attorneys fees, filed on June 19, 2006 San Francisco County Superior Court, Case No. CPF-06-506443; material terms of said settlement are payments in the amount of \$1.2 million to Alameda County Flood Control and Water Conservation District for projects in the Alameda Creek watershed.

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

Section 1. The City Attorney is hereby authorized to settle the action entitled "County of Alameda, Alameda County Flood Control and Water Conservation District v. City and County of San Francisco, San Francisco Public Utilities Commission, et al.", San Francisco County Superior Court, Court No. CPF-06-506443, consistent with the terms of the settlement agreement recommended by the San Francisco Public Utilities Commission by resolution adopted on June 27, 2006, including the payment of \$1.2 million for projects in the Alameda Creek watershed.

Section 2. The above-named action was filed in San Francisco County Superior Court on June 19, 2006, and the following parties were named in the lawsuit: County of Alameda, Alameda County Flood Control and Water Conservation District, City and County of San Francisco, San Francisco Public Utilities Commission.

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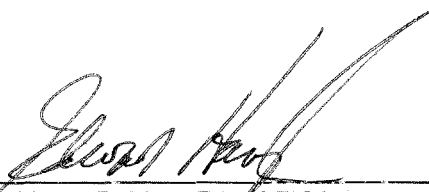
APPROVED AS TO FORM AND
RECOMMENDED:

DENNIS J. HERRERA
City Attorney



NOREEN AMBROSE
Utilities General Counsel

FUNDS AVAILABLE:

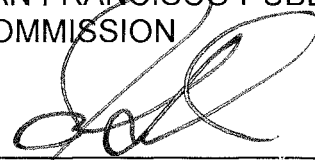


EDWARD HARRINGTON
Controller

Project: CLW248
Index Code: 502481

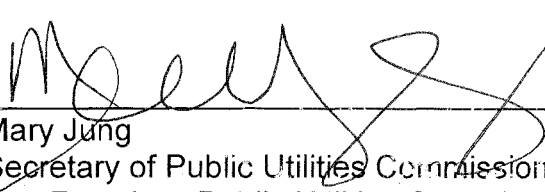
RECOMMENDED:

SAN FRANCISCO PUBLIC UTILITIES
COMMISSION



SUSAN LEAL
San Francisco Public Utilities Commission

APPROVED:



Mary Jung
Secretary of Public Utilities Commission
San Francisco Public Utilities Commission



City and County of San Francisco

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

Tails

Ordinance

File Number: 061037

Date Passed:

Ordinance authorizing settlement of the lawsuit, County of Alameda, Alameda County Flood Control and Water Conservation District v. City and County of San Francisco, for declaratory and injunctive relief, and costs of suit including attorneys fees, filed on June 19, 2006 San Francisco County Superior Court, Case No. CPF-06-506443; material terms of said settlement are payments in the amount of \$1.2 million to Alameda County Flood Control and Water Conservation District for projects in the Alameda Creek watershed.

August 1, 2006 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell,
McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

August 8, 2006 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick,
Mirkarimi, Peskin, Sandoval
Absent: 1 - Ma

File No. 061037

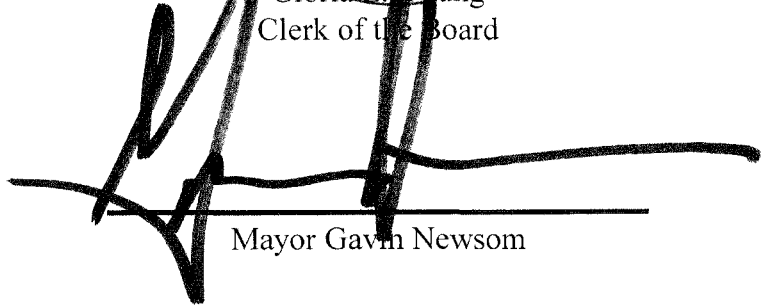
I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on August 8, 2006
by the Board of Supervisors of the City and
County of San Francisco.

8/11/06

Date Approved



Gloria L. Young
Clerk of the Board



Mayor Gavin Newsom