

1 [Settlement of Lawsuit – Pacific States Environmental Contractors, Inc. v. CCSF - \$425,000]

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3 **Ordinance authorizing settlement of the lawsuit filed by Pacific States Environmental**
4 **Contractors, Inc. against the City and County of San Francisco for \$425,000; the**
5 **lawsuit was filed on November 20, 2009 in San Mateo County Superior Court and**
6 **subsequently transferred to San Francisco County Superior Court, Case No. CGC-10-**
7 **501403, entitled Pacific States Environmental Contractors, Inc. v. City and County of**
8 **San Francisco, et al.; other material terms of the settlement are: (1) mutual releases**
9 **except for latent defects, (2) dismissal of the complaint with prejudice, and (3) each**
10 **side to bear its own attorneys fees and costs.**

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

13 Section 1. The City Attorney is hereby authorized to settle the action entitled "Pacific
14 States Environmental Contractors, Inc. v. City and County of San Francisco, et al.", San
15 Francisco County Superior Court, Case No. CGC-10-501403, by the payment of \$425,000;
16 mutual releases except for latent defects, dismissal of the complaint with prejudice, and each
17 side to bear its own attorneys fees and costs.

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1 Section 2. The above-named action was filed in San Mateo County Superior Court on
2 November 20, 2009 and subsequently transferred to San Francisco County Superior Court,
3 and the following parties were named in the lawsuit: Pacific States Environmental
4 Contractors, Inc., plaintiff, and City and County of San Francisco, defendant.
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7 APPROVED AS TO FORM AND
8 RECOMMENDED:

9 DENNIS J. HERRERA
10 City Attorney

11 
12 _____
13 JOSEPH SANDOVAL, JR.
14 Deputy City Attorney

15 FUNDS AVAILABLE:

16 
17 _____
18 BEN ROSENFELD
19 Controller

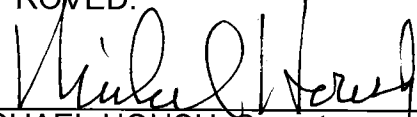
20 Index Code: 477026
21 Sub Object: 05312
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RECOMMENDED:

San Francisco Public Utilities Commission

26 
27 _____
28 EDWARD HARRINGTON
29 General Manager

APPROVED:

30 
31 _____
32 MICHAEL HOUSH, Secretary
33 SAN FRANCISCO PUBLIC UTILITIES
34 COMMISSION



City and County of San Francisco

Tails
Ordinance

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

File Number: 120164

Date Passed: April 17, 2012

Ordinance authorizing settlement of the lawsuit filed by Pacific States Environmental Contractors, Inc., against the City and County of San Francisco for \$425,000; the lawsuit was filed on November 20, 2009, in San Mateo County Superior Court and subsequently transferred to San Francisco County Superior Court, Case No. CGC-10-501403, entitled Pacific States Environmental Contractors, Inc. v. City and County of San Francisco, et al.; other material terms of the settlement are: 1) mutual releases except for latent defects, 2) dismissal of the complaint with prejudice, and 3) each side to bear its own attorneys fees and costs.

March 29, 2012 Rules Committee - RECOMMENDED..

April 10, 2012 Board of Supervisors - PASSED, ON FIRST READING


Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener


April 17, 2012 Board of Supervisors - FINALLY PASSED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar and Wiener
Excused: 1 - Olague

File No. 120164

I hereby certify that the foregoing
Ordinance was FINALLY PASSED on
4/17/2012 by the Board of Supervisors of the
City and County of San Francisco.


Angela Calvillo
Clerk of the Board


Mayor


Date Approved