

1 [Settlement of Unlitigated Claim - Bay Area Air Quality Management District - \$42,125]

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3 **Resolution approving settlement of the unlitigated claim filed by the Bay Area Air**
4 **Quality Management District (BAAQMD) against the City and County of San Francisco**
5 **for \$42,125; the claim involves the resolution of notices of violation issued by the Bay**
6 **Area Air Quality Management District to the City and County of San Francisco**
7 **concerning alleged violations of testing requirements governing onsite boilers at the**
8 **Hall of Justice facility located at 850 Bryant Street; other material terms of the**
9 **settlement include the resolution of all claims between BAAQMD and the City and**
10 **County of San Francisco with regard to the dispute, with each party to bear their own**
11 **costs.**

12
13 WHEREAS, On July 9, 2021, the Bay Area Air Quality Management District (BAAQMD)
14 issued notices of violation to the City and County of San Francisco (City) concerning the City's
15 alleged violation of periodic testing regulations governing onsite boilers at the Hall of Justice
16 Facility located at 850 Bryant; and

17 WHEREAS, The alleged violations have since been addressed and remedied; and

18 WHEREAS, BAAQMD has agreed to not seek formal enforcement, electing to instead
19 resolve the notices of violation through settlement, which includes the resolution of all claims
20 between the City and BAAQMD, and the City's payment to BAAQMD of a civil penalty in the
21 amount of \$42,125; and

22 WHEREAS, City and BAAQMD agree that each should bear its own costs and fees;
23 and

24 WHEREAS, The City and County of San Francisco Real Estate Division recommends
25 the settlement; now, therefore, be it

1 RESOLVED, That pursuant to Section 10.22 of the Administrative Code, the Board of
2 Supervisors hereby authorizes the settlement of the unlitigated claim by the City's payment to
3 BAAQMD of \$42,125.

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APPROVED:

DAVID CHIU
City Attorney

/s/ CAROL WONG
CAROL WONG
Team Leader

FUNDS AVAILABLE:

/s/ Michelle Allersma for Greg Wagner
GREG WAGNER
Controller

RECOMMENDED:

/s/
CARMEN CHU
City Administrator

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City and County of San Francisco
Tails
Resolution

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

File Number: 240581

Date Passed: July 02, 2024

Resolution approving settlement of the unlitigated claim filed by the Bay Area Air Quality Management District (BAAQMD) against the City and County of San Francisco for \$42,125; the claim involves the resolution of notices of violation issued by the Bay Area Air Quality Management District to the City and County of San Francisco concerning alleged violations of testing requirements governing onsite boilers at the Hall of Justice facility located at 850 Bryant Street; other material terms of the settlement include the resolution of all claims between BAAQMD and the City and County of San Francisco with regard to the dispute, with each party to bear their own costs.

June 20, 2024 Government Audit and Oversight Committee - RECOMMENDED

July 02, 2024 Board of Supervisors - ADOPTED


Ayes: 9 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen and Walton

Excused: 1 - Stefani

Absent: 1 - Safai

File No. 240581

I hereby certify that the foregoing Resolution was ADOPTED on 7/2/2024 by the Board of Supervisors of the City and County of San Francisco.


Angela Calvillo
Clerk of the Board



London N. Breed
Mayor

7/12/24

Date Approved