

RESOLUTION NUMBER R- 308623

DATE OF FINAL PASSAGE DEC 11 2013

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE SETTLEMENT
BETWEEN RAY LUTZ AND THE CITY OF SAN
DIEGO, ET AL.

WHEREAS, on September 13, 2012, RAY LUTZ filed suit against the City of San Diego, et al. (City) alleging Battery, False Arrest, Intentional Infliction of Emotional Distress, and Negligent Infliction of Emotional Distress, arising from an incident that occurred at Civic Center Plaza, San Diego, California on November 29, 2011; and

WHEREAS, Plaintiff brought suit in the United States District Court; the suit is entitled *Lutz, Ray v. COSD, et al.*, 12-CV2625 JM (DHB) (Litigation); and

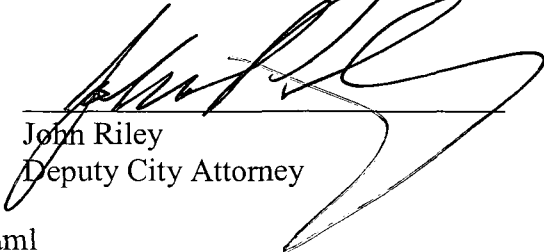
WHEREAS, in Closed Session on October 8, 2013, the San Diego City Council, by the following votes: Yeas, District(s) - 1, 2, 3, 4, 5, 6, 7, 8, and Absent, District 9, approved settlement of the Litigation for an amount consistent with the amounts set forth below and pursuant to such other terms more fully set forth in the Settlement Agreement on file in the Office of the City Clerk as Document No. RR- 308623; NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego that the Council authorizes:

1. That the Council President, in his capacity under Charter section 265(i), or his designee, is authorized and directed to sign the settlement agreement pertaining to this lawsuit.
2. That the sum of sixty thousand dollars (\$60,000) is to be paid from Public Liability Fund No. 720045 in settlement of each and every claim for damages, interest, costs and fees of any type, including attorney fees, against the City, its agents and employees, arising from the Litigation.

2. The Comptroller is to issue a check in the amount of \$60,000 payable to Singleton Law Group Client Trust Account.

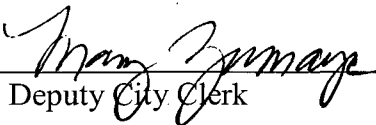
APPROVED: JAN I. GOLDSMITH, City Attorney

By 
John Riley
Deputy City Attorney

JER:aml
12/06/2013
Or. Dept: San Diego Police Department
CC No. 3000006518
Doc. No. 661750

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 10 2013.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved pursuant to Charter section 265(i):

12/10/13
(date)


TODD GLORIA, Council President

Passed by the Council of The City of San Diego on DEC 10 2013, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 11 2013.


(Please note: When a resolution is approved by the Council President as interim Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA, COUNCIL PRESIDENT
as interim Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 308623