HEM# 108 Juny 19, 2016 (R-2017-1)

RESOLUTION NUMBER R- 310510

DATE OF FINAL PASSAGE JUL 2 0 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE SETTLEMENT BETWEEN JOSE RIOS AND ELBA RIOS AND THE CITY OF SAN DIEGO

WHEREAS, on December 14, 2013, Jose Rios and Elba Rios filed suit against the City of San Diego [City], alleging constitutional violations and personal injuries arising from an incident which occurred on November 21 2012. The suit is entitled *Jose Rios and Elba Rios v. City of San Diego, et al.*, Case No. 13cv3004 JLS (DHB), and

WHEREAS, in Closed Session on June 21, 2016, the City Council, by the following votes: Yeas, District(s) 1, 2, 3, 4, 6, and 7; Nays, None; and Absent, 9, approved the Settlement.

WHEREAS, the City Council in closed session on June 21, 2016, authorized settlement of the Litigation for an amount consistent with the amounts set forth below;

NOW, THEREFORE,

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

1. Authorizing the Mayor or his designee to pay the sum of \$75,000 from the 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 City of San Diego, its agents and employees, arising from the personal injury claim of *Jose Rios and Elba Rios v. City of San Diego, et al.*, United States District Court for the Southern District of California Case No. 13cv3004 JLS (DHB).

- 2. Authorizing the Chief Financial Officer to appropriate and expend \$75,000 from the Public Liability Fund, Fund 720045, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

3.	Authorizing the Comptrolle	r to issue one check, in the amount of \$75,000, made
payable to	Michael R. Marrinan, Attorney,	Client Trust Account.
APPROVI	ED: JAN I. GOLDSMITH City	Attorney
By Joh	np Riley jef Deputy City Attorney	,
JR:aml July 1, 201 Or. Dept: 0 CC: 30000 R-2017-1	City Attorney	
I certify the meeting of		passed by the Council of the City of San Diego, at this
		ELIZABETH S. MALAND City Clerk By Many Jernandto
Approved:	7/20/14 (date)	Deputy City Clerk KEVIN L. FAULCONER, Mayor
Vetoed:	(date)	KEVIN L. FAULCONER, Mayor

The City of San Diego COMPTROLLER'S CERTIFICATE

				CERTIFICATE	OF UNMELO	I I LD DAL	ANOL	ORIGINATING	CC 30000908 DEPT. NO.: 1211
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Passed by the Council of The	JUL 19	2016 , by	_, by the following vote:		
Councilmembers	Yeas	Nays	Not Present	Recused	
Sherri Lightner			Π.	П	
Lorie Zapf					
Todd Gloria					
Myrtle Cole					
Mark Kersey	Ĭ				
Chris Cate	Ź				
Scott Sherman					
David Alvarez	\mathbf{Z}_{ι}				
Marti Emerald	₫				
Date of final passage	JUL 2 0 2016	e.			
(Please note: When a reso approved resolution was re			k.)		
AUTHENTICATED BY:		Ma	KEVIN L. FA	AULCONER San Diego, Californi	ia.
(Seal)		City		S. MALAND of San Diego, Califor	mia.
		Ву	Jamelle ?	Fonts.	Deputy
		Office of t	he City Clerk, Sa	an Diego, California	