(R-2017-59)

RESOLUTION NUMBER R- 310679

DATE OF FINAL PASSAGE SEP 2 6 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE SETTLEMENT AGREEMENT BETWEEN CLARA ISABEL CASTRO, an individual AND THE CITY OF SAN DIEGO

WHEREAS, on February 26, 2015, CLARA ISABEL CASTRO, an individual, filed suit against the City of San Diego [City] alleging personal injuries arising from an incident involving San Diego Police officers. Plaintiff CASTRO brought suit in the United States District Court for the Southern District of California. The suit is entitled *Henry Gonzales and Clara Isabel Castro* v. COSD, Case No 15CV1033 L RBB; and

WHEREAS, in Closed Session on July 19, 2016, the City Council, by the following votes: Yeas, Districts 1, 2, 3, 4, 5, 6, 7, 8 and 9; Nays, Districts (None); and absent, Districts (All Present), authorized settlement of the Litigation brought by Clara Isabel Castro, only, for an amount consistent with the amounts set forth below and pursuant to such other terms more fully set forth in the Settlement Agreement; NOW, THEREFORE,

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

- 1. The sum of \$150,000.00 to be paid from the Public Liability Fund 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 brought by Clara Isabel Castro.
- 2. The Chief Financial Officer to appropriate and expend \$150,000.00 from the Public Liability 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. The Comptroller to issue a check in the amount of \$150,000.00 payable to the Trust Account of Michael Feldman.

APPROVED: JAN I. GOLDSMITH, City Attorney

Deputy City Attorney

By	Bunly	Rexas	la Chrienn	a Willigan
•	Christina M Millis	วลท	.	

CMM:gcb 7/25/2016

Or.Dept: SDPD CC:3000009144 Doc. No.: 1327569

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of <u>SEP 13 20</u>16

The City of San Diego

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Passed by the Council of The C	SEP 1 3 2016		by the following vote:			
Councilmembers	Yeas	Nays	Not Present	Recused		
Sherri Lightner	Ø					
Lorie Zapf	Ø					
Todd Gloria	Ź					
Myrtle Cole	Ø					
Mark Kersey	otin					
Chris Cate	Ź					
Scott Sherman	Ź					
David Alvarez	Ø					
Marti Emerald	Ø					
Date of final passage	SEP 26 2016					
(Please note: When a resolut approved resolution was retu			rk.)			
AUTHENTICATED BY:		Mayor of The City of San Diego, California.				
			ELIZABETH			
(Seal)		By	Clerk of The City	of San Diego, California		
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		Office of	the City Clerk, Sa	n Diego, California		

Resolution Number R-_

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