#106 1-10-20/7 (R-2017-322)

RESOLUTION NUMBER R-310912

DATE OF FINAL PASSAGE JAN 18 2017

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE SETTLEMENT BETWEEN THE CENTER FOR LOCAL GOVERNMENT ACCOUNTABILITY AND THE CITY OF SAN DIEGO

WHEREAS, on September 11, 2014, The Center for Local Government Accountability filed suit against the City of San Diego [City], alleging that the City Council's practice of providing a single non-agenda public comment period during the course of its two-day regular weekly meetings violated the Brown Act, Government Code sections 54950 et seq... The suit is Center for Local Government Accountability v. City of San Diego, San Diego Superior Court 37-2014-00030567-CU-JR-CTL; and

WHEREAS, in Closed Session on November 15, 2016, the City Council approved the settlement;

NOW, THEREFORE,

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

- 1. Authorize the Mayor or his designee to pay the sum of \$70,000.00 from the Public Liability Fund No. 720045, in settlement of each and every claim, including attorney fees, against the City of San Diego, its agents and employees, arising from *Local Government Accountability v. City of San Diego*, San Diego Superior Court Case No. 37-2014-00030567-CU-JR-CTL.
- 2. Authorize the Chief Financial Officer to appropriate and expend \$70,000.00 from the Public Liability Fund No. 720045, contingent upon the Chief Financial Officer first furnishing

one or more certificates certifying that the funds necessary for this expenditure are, or will be, on deposit with the City Treasurer.

3. Authorize the Comptroller to issue a check in the amount of \$70,000.00, made payable to Craig A. Sherman, Attorney at Law, and the Center for Local Government Accountability.

APPROVED: MARA W. ELLIOTT, City Attorney

By David J. Karlin
Assistant City Attorney

DJK:aml December 20, 2016 Or. Dept: City Attorney

CC No. 3000009559 Doc. No.: 1411457

The City of San Diego COMPTROLLER'S CERTIFICATE

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FUND OVERRIDE
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Passed by the Council of T	The City of San Diego on _	J	AN 1 0 2017	, by the following vote:			
Councilmembers	Yeas	Nays	Not Present	Recused			
Barbara Bry	Ø	П	П	П			
Lorie Zapf	Z	П	П	П			
Chris Ward	$\overline{\mathbb{Z}}$	П	П	П			
Myrtle Cole	Ž	П	П	П			
Mark Kersey	Z			П			
Chris Cate	7						
Scott Sherman							
David Alvarez	Ø.						
Georgette Gomez	Z	. 🗆					
Date of final passage	JAN 1 8 2017						
			KEVIN L. FA				
AUTHENTICATED BY:		М	ayor of The City of	San Diego, California.			
(G1)			ELIZABETH				
(Seal)		City	Clerk of The City of	of San Diego, California.			
		Ву	inda J	Tuend, Deputy			
			Office of the City Clerk, San Diego, California				
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