#128 4-11-23 (R-2023-472)

RESOLUTION NUMBER R- 314736

DATE OF FINAL PASSAGE APR 1 4 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE SETTLEMENT AGREEMENT BETWEEN PROTECTION FOR THE EDUCATIONAL RIGHTS OF KIDS, ET AL. AND THE CITY OF SAN DIEGO

WHEREAS, on January 28, 2022, Plaintiffs Protection for the Educational Rights of Kids, Manuel Del Toro, Jonathan Wiese, and Justus Norgord filed suit in San Diego Superior Court against the City of San Diego. The suit is entitled *Protection for the Educational Rights of Kids, et al. v. City of San Diego*, Case No. 37-2022-00003636-CU-CR-CTL (Litigation); and

WHEREAS, in Closed Session on January 9, 2023, the City Council, by the following votes: Yeas, Districts 1, 3, 4, 5, 6, 7, 8, 9; Nays, None; Absent, District 2; authorized 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 and Release Agreement; and NOW, THEREFORE,

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

1) Authorizes the Mayor or his designee to pay the sum of \$70,000 from Public Liability Fund No. 7200245, 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 litigation.

2	Authorizes the Department	of Finance to expend an amount not to exceed
\$70,000	from Public Liability Fund No. 72	200245, for the purposes of settling this claim.
APPRO	VED: MARA W. ELLIOTT, City	Attorney
	Tyler L. Krentz Chief Deputy City Attorney	<del></del>
I certify meeting		passed by the Council of the City of San Diego, at this
		DIANA J.S. FUENTES City Clerk
		By Connie Patterso  Deputy City Clerk
Approve	ed: 4 (14) 23 (date)	TODD GLORIA, Mayor
Vetoed:	(date)	TODD GLORIA, Mayor

## The City of San Diego COMPTROLLER'S CERTIFICATE

Item   Fund   Funded Program   Internal Order   Functional Area   Account   Area   Cost Center   WBS   Original Amount				C	CERTIFICATE OF UN	ALLOTTE	D BALAN	CE	ONGINATING DEPT NO.	3000015640 1211
Purpose: Ilem Subject: Settlement of Protection for Educational Rights of Kids, et al. v. City of San Diego, San Diego Superior Court No. 2022-00003636-CU-CR-CTL, Claim No. 28912.  Date: March 15th 2023    Account No. 28912   Account No. 28912   Account No. 28912									et forth in the fore	going resolution
Date:    March 15th 2023   Lauran Rukept	Amoui	nt:			\$70,000.00					
Dote:    March 15th 2023   Lauran Ruhkept	Purpo	se:		tlement of Prote	ction for Educational I	Rights of Ki	ds, et al. v	. City of San D	iego, San Diego Sup	erior Court No. 37
Doc.   Fund   Funded Program   Internal Order   Functional Area   Account   Area   Cost Center   WBS   Original Amoun			00003636-CU-CF	R-CTL, Claim No	o. 28912.					
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	361 (RI	EV 7-09)			-					FUND OVERRIDE

Passed by the Council of The Ci	ty of San Die	go on <i>A</i>	APR 1 1 2023	_, by the following vote:
Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	Ø			
Jennifer Campbell	$\mathbb{Z}$			
Stephen Whitburn	Ø			
Monica Montgomery Ste	eppe 🗾			
Marni von Wilpert	Z			
Kent Lee	$\mathbb{Z}$			
Raul A. Campillo	$\mathbb{Z}$			
Vivian Moreno	Z			
Sean Elo-Rivera	Z			
(Please note: When a resolut date the approved resolution AUTHENTICATED BY:	tion is appro n was return	ed to the Offi	ce of the City Clo TODD Gl	erk.)
(Seal)		_	0	JENTES of San Diego, California.
		Office of the	e City Clerk, San I	Diego, California
	Res	solution Numb	er R <b>3147</b>	36

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