(R-2025-162) COR. COPY

RESOLUTION NUMBER R- 315862

DATE OF FINAL PASSAGE NOV 0 6 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE SETTLEMENT BETWEEN THE SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT AND CITY OF SAN DIEGO

RECITALS

The Council of the City of San Diego (Council) adopts this Resolution based on the following:

- A. On June 27, 2022, the San Diego County Air Pollution Control District (APCD) issued Notice of Violation No. APCD2022-NOV-000430 to the City of San Diego, alleging violations of District Rule 10 (operating without a permit) and Rule 51 (nuisance) for alleged emissions of air pollutants at the Police Pistol Range at 4008 Federal Blvd.
- B. In closed session on September 23, 2024, the City Council, by the following votes: Yeas, Districts 1, 3, 4, 5, 6, 7, and 8; Nays, None; Absent, District 2; and Recused District 9, authorized a settlement of the penalty for the Notice of Violation consistent with the amounts below and terms more fully set forth in the Settlement Agreement.

ACTION ITEMS

Be it resolved by the Council of the City of San Diego:

1. The Mayor or his designee is authorized to pay the sum of \$700,000.00 from General Fund No. 100000 Police Department, in full settlement of every San Diego County Air Pollution Control District claim for penalties and relief arising from Notice of Violation APCD2022-NOV-000430 issued on June 27, 2022.

2. The Chief Financial Officer is authorized to expend an amount not to exceed \$700,000.00 from General Fund No. 100000 Police Department, for the purpose of settling this Notice of Violation, with \$200,000.00 payable to the San Diego County Air Pollution Control District, and the remaining \$500,000.00 payable in support of the Supplemental Environmental Project. APPROVED: MARA W. ELLIOTT, City Attorney By Frederick M. Ortlieb Senior Deputy City Attorney FMO:cw September 25, 2024 October 24, 2024 COR. COPY Or. Dept: City Attorney CC No: 3000017217 CC No:3000017216 Doc. No.: 3832496 2 I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of 292024 meeting of _____ DIANA J.S. FUENTES City Clerk

TODD GLORIA, Mayor

Vetoed:

(date)

The City of San Diego COMPTROLLER'S CERTIFICATE

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cc____

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Passed by the Council of The C	ity of San Diego	30non_	T 2 9 2024	_, by the following vote:
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Councilmembers	Yeas	Nays	Not Present	Recused .
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Stephen Whitburn				
Henry L. Foster III	Z			
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Sean Elo-Rivera				. <u>N</u>
(Please note: When a resolution date the approved resolution	tion is approve n was returned	d by the Ma I to the Offic	yor, the date of te of the City Cle TODD GL	erk.)
AUTHENTICATED BY:		Mayo		an Diego, California.
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(Seal)		City Cler	rk of The City of S	San Diego, California.
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Resolution Number R-