

RESOLUTION NUMBER R- **316122**DATE OF FINAL PASSAGE **MAR 25 2025**

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE SETTLEMENT AGREEMENT BETWEEN PLAINTIFFS, PATRICE BAKER, GLORIA COOPER, LESLIE DUDLEY, LETITIA FLYNN, KATHLEEN MACLEOD, EILEEN OSBORNE AND KHALADA SALAAM-ALAJI, AND THE CITY OF SAN DIEGO AND HOUSING AUTHORITY OF SAN DIEGO.

RECITALS

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

A. Plaintiffs filed a lawsuit on May 30, 2019, against the City of San Diego and the Housing Authority of San Diego (collectively "City") alleging claims under the federal Fair Housing Act and the state Fair Employment and Housing Act entitled *Patrice Baker, et al. v. City of San Diego, et al.*, United States District Court Case No. 3:19-cv-1013-JO (DEB) (Litigation). Plaintiffs alleged the City's policy of designating residential densities in the community plan update process disproportionately increased the multifamily housing densities, capacity and zoning in specified communities identified in the Third Amended Complaint. Plaintiffs sought a moratorium on multifamily housing developments in those communities.

B. The City and the Housing Authority deny their housing policies violate the fair housing laws and are instead focused on providing more housing opportunities for all citizens including increasing housing supply in a state suffering a significant housing crisis; meeting the City's Regional Housing Needs Allocation obligations, furthering the City's Climate Action Plan goals, and affirmatively furthering fair housing.

C. The City Council considered the proposed settlement in closed sessions on December 16, 2024, January 13, 2025, and January 27, 2025. On January 27, 2025, the City

Council, by the following votes: Yeas, Districts 1, 2, 3, 5, 6, 7, and 9; Nays, District 4; and Absent, District 8, authorized an offer to Plaintiffs consistent with the monetary terms set forth below and additional terms more fully set forth in the Settlement Agreement.

D. The Settlement Agreement involves several action items that the City's Planning Department and Economic Development Department will undertake and to pay Plaintiffs' counsel the total sum of \$650,000.00 for Plaintiffs' litigation expenses which includes court costs, experts' fees, and attorneys' fees of any kind incurred in the Litigation.

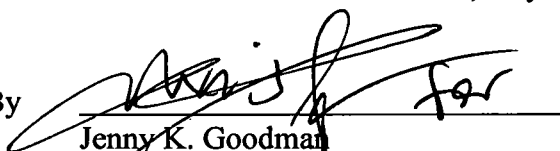
ACTION ITEMS

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

1. Authorizes the Mayor or his designee to pay the sum of \$650,000.00 from Public Liability Fund No. 720045 in settlement of each and every claim for damages, interest, costs, and fees of any type, including attorneys' fees, against the City, its agents, and employees, arising from the Litigation.

2. Authorizes the Chief Financial Officer to appropriate and expend an amount not to exceed \$650,000.00 from Public Liability Fund No. 720045, for the purpose of settling this Litigation.

APPROVED: HEATHER FERBERT, City Attorney

By 

Jenny K. Goodman
Lead Deputy City Attorney

JKG:msb
January 29, 2025
Or. Dept: City Attorney

CC No. 3000017577
Doc. No. 3951326

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on
MAR 18 2025

DIANA J.S. FUENTES
City Clerk

By Connie Patterson
Deputy City Clerk

Approved: 3/21/25
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

**The City of San Diego
COMPTROLLER'S CERTIFICATE**

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

CC 3000017577
DEPT. NO.: 1211

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: \$650,000.00

Purpose: Settlement of Patrice Baker, et al. v. City of San Diego, et al., United States District Court Case No. 3:19-cv-1013-JQ (DFB), Claim No. 22699

Date: February 28, 2025

By: Lauren Rehkopf *Lauren Rehkopf*

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
1	720045	NON-PROGRAM		OTHR-00000000-GG	512007	1515	1515000011		\$650,000.00
TOTAL AMOUNT									\$650,000.00

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: _____

Vendor: _____

Purpose: _____

Date: _____

By: _____
COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
TOTAL AMOUNT									

FUND OVERRIDE

Passed by the Council of The City of San Diego on MAR 18 2025, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Foster III	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAR 25 2025.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA
Mayor of The City of San Diego, California.

DIANA J.S. FUENTES

City Clerk of The City of San Diego, California.

(Seal)

By *Ginda Brwin*, Deputy

Office of the City Clerk, San Diego, California

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