

RESOLUTION NUMBER R- **316919**

DATE OF FINAL PASSAGE **SEP 02 2026**

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE SETTLEMENT BETWEEN
DANIEL PATZ AND JOAN MANN CHESNER (CLASS) AND
THE CITY OF SAN DIEGO.

RECITALS

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

A. On July 14, 2015, Daniel Patz and Joan Mann Chester (Class) brought a class action suit against the City of San Diego challenging the City's tiered water rates for single family residential (SFR) customers. The lawsuit is entitled *Daniel Patz v. City of San Diego*, San Diego Superior Court Case No. 37-2015-00023413-CU-MC-CTL (Litigation). The Class alleged the City's tiered water rates for SFR customers exceeded the cost of service in violation of Article XIII D of the California Constitution (Proposition 218).

B. In closed session on April 20, 2026, the City Council, by the following votes: Yeas, Districts 1, 2, 3, 6, 7, 9; Nays, District 4; and Absent, Districts 5 and 8; approved the 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 Agreement.

ACTION ITEMS

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

1. The sum of \$40,000,000.00 to be paid from Water Fund No. 700011 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.

2. Authorizes the Chief Financial Officer to appropriate and expend an amount not to exceed \$40,000,000.00 from the Water Fund No. 700011, for the purpose of settling this Litigation.

APPROVED: HEATHER FERBERT, City Attorney

By 
Chance Colbert Hawkins
Deputy City Attorney

CCH:msb
May 14, 2026
Or. Dept: City Attorney
CC No. 3000018670
Doc. No. 4431486

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on
AUG 25 2026.

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

Approved: 9/2/26
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

The City of San Diego
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

CC 3000018670
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: \$40,000,000.00

Purpose: Settlement of Daniel Patz v. City of San Diego, San Diego Superior Court No. 37-2015-00023413-CU-MC-CTL, Claim No. 12386

Date: June 23, 2026 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	700011	NON-PROGRAM		OTHR-00000000-GG	512007	2000	2000211101		\$40,000,000.00
TOTAL AMOUNT									\$40,000,000.00

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 ☐

CC 3000018670

Passed by the Council of The City of San Diego on **August 25, 2026**, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	☒	☐	☐	☐
Jennifer Campbell	☒	☐	☐	☐
Stephen Whitburn	☒	☐	☐	☐
Henry L. Foster III	☐	☒	☐	☐
Marni von Wilpert	☒	☐	☐	☐
Kent Lee	☒	☐	☐	☐
Raul A. Campillo	☐	☐	☒	☐
Vivian Moreno	☒	☐	☐	☐
Sean Elo-Rivera	☒	☐	☐	☐

Date of final passage SEP 02 2026.

(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:

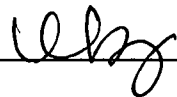
TODD GLORIA

Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES

City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California

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