

RESOLUTION NUMBER R- 308869

DATE OF FINAL PASSAGE APR 22 2014

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO APPROVING THE SETTLEMENT BETWEEN  
CHRISTOPHER CERVANTES AND THE CITY OF SAN DIEGO

WHEREAS, on July 20, 2012, Plaintiff Christopher Cervantes filed suit against the City of San Diego [City], et al., alleging personal injuries arising from an incident which occurred on July 23, 2011. The suit is entitled *Christopher Cervantes v. City of San Diego, et al.*, Case No 37-2012- 00100839-CU-CR-CTL [Litigation]; and

WHEREAS, the City Council in Closed Session on February 25, 2014, 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 Agreement;

NOW, THEREFORE,


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

1. Authorizing the Mayor or his designee to pay the sum of \$105,000.00 to be paid from the Public Liability Fund No. 720045, in settlement of each and every claim for damages, interest, costs and fees of any type, including attorney fees, against the City of San Diego, its agents and employees, arising from the personal injury claim of Christopher Cervantes, San Diego Superior Court Case No. 37-2012-00100839-CU-CR-CTL.

2. Authorizing the Chief Financial Officer to appropriate and expend \$105,000.00 from the Public Liability Fund 720045, contingent upon the Chief Financial Officer certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

3. Authorizing the Comptroller to issue a check in the amount of \$105,000.00 made payable to Lynn & O'Brien, LLP.

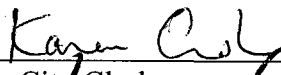
APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Kathy J. Steinman  
Deputy City Attorney

KJS:lla  
March 20, 2014  
Or.Dept: City Atty  
R-2014-571

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 08 2014.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

  
KEVIN L. FAULCONER, Mayor

Approved: 4/16/14  
(date)

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on APR 8 2014, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Harris	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage APR 22 2014

**(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:

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

(Seal)

By Karen Cook, Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R- 308869