RESOLUTION NUMBER R-30938

DATE OF FINAL PASSAGE AUG 7 2015

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING SETTLEMENT OF CLAUDIA ARIZA

WHEREAS, on June 18, 2014, Plaintiff Claudia Ariza filed suit against the City of San Diego [City] alleging personal injuries arising from her interaction with former San Diego Police Officer Christopher Hays which occurred on June 12, 2013. The suit is entitled *Michelle Davis*, Claudia Ariza and Nicole Johnson v. City of San Diego and Christopher R. Hays, Case No. 14cv1488 DMS (DHB); and

WHEREAS, in closed session on June 23, 2015, the City Council, by the following votes: Yeas, Districts 1, 2, 3, 4, 5, 6, 7, and 9; Nays, District 8, approved the settlement of Claudia Ariza's claim for an amount consistent with the amounts set forth below and pursuant to such other terms more fully set forth in a settlement agreement; NOW, THEREFORE,

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

- 1. The Mayor or his designee to pay the sum of \$400,000 from the Public Liability Fund 720045, 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 the personal injury claim of Claudia Ariza, United States District Court Case No. 14cv1488 DMS (DHB).
- 2. The Chief Financial Officer to appropriate and expend \$400,000 from the Public Liability Fund 720045, contingent upon the Chief Financial Officer first furnishing one or more

certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

3. The Comptroller to issue a check as follows: A check for the amount of four hundred thousand dollars (\$400,000), made payable to "Gilleon Law Firm and Claudia Ariza" for Claudia Ariza.

APPROVED: JAN I. GOLDSMITH, City Attorney

By Keith W. Phillips

Deputy City Attorney

KWP:my June 26, 2015 Or.Dept: 045

CC No. 3000008039 Doc. No.: 1050009

| I certify that the foregoing Resolution was pass meeting of AUG 0 4 2015 | ed by the Council of the City of San Diego, at th |
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|  | ELIZABETH S. MALAND<br>City Clerk                 |
|  | By Nom & Herandton                                |
|  | Deputy City Clerk                                 |
| Approved: 8/6/15 (date)  | KEVIN L. FAULCONER, Mayor                         |
| Vetoed: (date)   | KEVIN L. FAULCONER, Mayor                         |

## The City of San Diego

|  |   |  | CERTIFICATE (   | JF UNALLOT  | IED BALA   | NCE  | ORIGINATING  | CC<br>pept.                                 | 3000008039  |
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R-309938

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| Councilmembers  | Yeas                 | Nays          | Not Present   | Recused   |
| Sherri Lightner   | Ø                    |               |   |   |
| Lorie Zapf  | Ź                    |               |   |   |
| Todd Gloria   |                      |               |   |   |
| Myrtle Cole   | 2                    |               |   |   |
| Mark Kersey   |                      |               |   |   |
| Chris Cate  |                      |               |   |   |
| Scott Sherman   | Z,                   |               |   |   |
| David Alvarez   | Ž,                   |               |   |   |
| Marti Emerald   | Ø                    |               |   |   |
| ite of final passageAUG                                   |                      |               |   | age is the date the   |
|   | on is approved by th |               | ·k.)  |   |
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Resolution Number R- 309938