

RESOLUTION NUMBER R- 310166

DATE OF FINAL PASSAGE DEC 18 2015

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE SETTLEMENT AGREEMENT
BETWEEN DENISE EDWARDS AND THE CITY OF SAN
DIEGO

WHEREAS, on June 12, 2014, DENISE EDWARDS filed suit against the City of San Diego [City] alleging personal injury damages arising from a trip-and-fall on a City sidewalk on October 23, 2013. Plaintiff brought suit in the San Diego Superior Court. The suit is entitled Edwards, Denise v. COSD: SDSC 37-2014-00019139-CU-PO-CTL, Case No 37-2014-00019139-CU-PO-CTL; and

WHEREAS, in Closed Session on October 27, 2015, the City Council, by the following votes: Yeas, Districts 1, 2, 3, 4, 5, 6 and 7; Nays, None; and absent, Districts 8 and 9, approved the Settlement.

WHEREAS, the City Council in closed session on October 27, 2015 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,

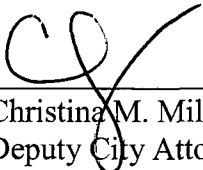
BE IT RESOLVED, by the Council of the City of San Diego that the Council authorizes:

1. The sum of \$180,000 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, its agents and employees, arising from the Litigation.

2. The Chief Financial Officer to appropriate and expend \$180,000 from the Public Liability Fund, 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. Authorizing the Comptroller to issue a check for one hundred eighty thousand dollars (\$180,000) made payable to Suppa, Trucchi and Henein LLP Attorney Client Trust account.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Christina M. Milligan
Deputy City Attorney

CMM:gcb
11/24/2015
Or.Dept: City Attorney
CC No. 3000008354
Doc. No.: 1176243

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 15 2015

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 12/17/15
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

The City of San Diego
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

CC 3000008354
 DEPT. NO. 1515

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: _____ Fund: _____

Purpose: _____

Date: _____ By: Lina Chim

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

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: _____ \$180,000.00

Vendor: Suppa, Trucchi and Henein LLP

Purpose: Settlement of the personal injury case of Denise Edwards resulting from an alleged dangerous condition of public property.

Date: _____ November 13, 2015 By: Lina Chim

COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
01	720045			OTHR-00000000-GG	512006	1515	1515000011		\$180,000.00
TOTAL AMOUNT									\$180,000.00

FUND OVERRIDE

Passed by the Council of The City of San Diego on DEC 15 2015, by the following vote:

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

Date of final passage DEC 18 2015

(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 Stacy Brady, Deputy

Office of the City Clerk, San Diego, California

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