#103 R-2016-430 (Cor. Copy) 3/1/16

RESOLUTION NUMBER R-310283

DATE OF FINAL PASSAGE MAR 10 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE SETTLEMENT AGREEMENT BETWEEN DOLORES GONZALEZ AND THE CITY OF SAN DIEGO

WHEREAS, on August 1, 2014, DOLORES GONZALEZ filed suit against the City of San Diego [City] alleging personal injuries arising from a trip-and-fall on a City street on August 16, 2013. Plaintiffs brought suit in the San Diego Superior Court. The suit is entitled Gonzalez, Dolores v. COSD: SDSC 37-2014-00025875-CU-PO-CTL, Case No 37-2014-00025875-CU-PO-CTL; and

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

WHEREAS, the City Council in closed session on December 7, 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 \$97,500 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 \$97,500 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. The Comptroller to issue a check in the amount of \$97,500 made payable to SIDIROPOULOS LAW FIRM, APC AND DOLORES GONZALEZ.

APPROVED: JAN I. GOLDSMITH, City Attorney

Ву	D.F. Boen	1 berg	
·	Christina M. Milligan Deputy City Attorney	<	

CMM:gcb 2/11/2016 CC No. 3000008525 Doc. No.: 1224484

(Cor. Copy)

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAR 01 2016.

	City Clerk
	Deputy City Clerk
Approved: 3/9/16 (date)	KEVIN L. FAULCONER, Mayor
Vetoed:	
(date)	KEVIN L. FAULCONER, Mayor

ELIZABETH S. MALAND

## The City of San Diego

			,	CERTIFICATE O	T UNALLU!!	EU BALA	IIV-E	ORIGINATING DEPT.	3000008525 1211
Į	HEREB\	CERTIEY that	the money req	ulred for the allotm	ent of funds	for the pu	urpose set forth in the	he foregoing resolu	tion is available
e Tre	asury, o	is anticipated to	come into the	Treasury, and is of	herwise unal	lotted.	•	100	
moun	ıt:					·			
urpos	· A'						•	e	
uipos									
			<del></del>		·				
		- 12 ( N	<del></del>						
			D.,,						
Date:			By:COMPTROLLER'S DEPARTMENT						ARTMENT .
			W. S.	The second secon	CCOUNTING DATA	Business			
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Area	Cost Center	WBS	Original Amour
:			· · · · · · · · · · · · · · · · · · ·						
٠.	_	100 A							
		12.25	-1		<u> </u>			momati an cornum	
								TOTAL AMOUNT	
			, .	•					- FUND OVERRIDE
solut onfor ontra	tion, can mity with ct. that su	be incurred with the requirement ifficient moneys	out the violation s of the Charte to meet the ob	n of any of the proving the City of San ligations of said cor	be incurred isions of the Diego, that s atract are act	by the co Charter o sufficlent in ually in th	ontract or agreement f the City of San Did moneys have been a de Treasury, or are a	ego; and I do hereb appropriated for the anticipated to come	y further certify purpose of sa Into the Treasu
esolut onfor ontra othe	tion, can mity with ct, that su credit of t	be incurred with the requirement ufficient moneys the appropriation	out the violation s of the Charte to meet the ob i from which the	ss and obligation to n of any of the prov r of the City of San ligations of said cor e same are to be dr	be incurred isions of the Diego, that s atract are act awn, and tha	by the co Charter of sufficient in ually in that the said	ontract or agreement f the City of San Die moneys have been	ego; and I do hereby appropriated for the anticipated to come y in the Treasury, to	y further certify purpose of sa Into the Treasu
esolut onfor ontrac the o	tion, can mity with ct, that su credit of the rs anticipa	be incurred with the requirement ufficient moneys the appropriation	out the violation s of the Charte to meet the ob i from which the	ss and obligation to n of any of the prov r of the City of San ligations of said cor e same are to be dr to the credit of said	be incurred isions of the Diego, that shifted are act awn, and that appropriation	by the co Charter of sufficient in ually in that the said	ontract or agreemen f the City of San Did moneys have been de Treasury, or are a l money now actuall	ego; and I do hereby appropriated for the anticipated to come y in the Treasury, to	y further certify purpose of sa Into the Treasu
esolut onfor ontra the ioney ot to I	tion, can mity with ct, that su credit of the anticipations.	be incurred with the requirement ufficient moneys the appropriation ated to come into	out the violation s of the Charte to meet the ob- i from which the o the Treasury,	ss and obligation to n of any of the prov r of the City of San ligations of said cor e same are to be dr to the credit of said	be incurred islons of the Diego, that shirted are act awn, and that appropriation	by the co Charter of sufficient in ually in that the said	ontract or agreemen f the City of San Did moneys have been de Treasury, or are a l money now actuall	ego; and I do hereby appropriated for the anticipated to come y in the Treasury, to	y further certify purpose of sa Into the Treasu
esolut onfor ontra othe oney	tion, can mity with ct, that su credit of the anticipations.	be incurred with the requirement ufficient moneys the appropriation ated to come into	out the violation s of the Charte to meet the ob- i from which the o the Treasury,	ss and obligation to n of any of the prov r of the City of San ligations of said cor e same are to be dr to the credit of said	be incurred islons of the Diego, that shirted are act awn, and that appropriation	by the co Charter of sufficient in ually in that the said	ontract or agreemen f the City of San Did moneys have been de Treasury, or are a l money now actuall	ego; and I do hereby appropriated for the anticipated to come y in the Treasury, to	y further certify purpose of sa Into the Treasu
esolut onfor ontra othe oney ot to l	tion, can mity with ct, that su credit of the s anticipal Exceed:	be incurred with the requirement ifficient moneys the appropriation ated to come into SIDIROPOULOS	out the violations of the Charte to meet the obliner which the other the Treasury,  LAW FIRM, AF	ss and obligation to n of any of the prov r of the City of San ligations of said cor e same are to be dr to the credit of said \$97,500.0 PC AND DOLORES C	be incurred isions of the Diego, that satract are act awn, and that appropriated of SONZALEZ	by the co Charter of sufficient in ually in the at the said on, are off	ontract or agreemen  f the City of San Die moneys have been the Treasury, or are a money now actual merwise unencumbe	ego; and I do hereb appropriated for the anticipated to come y in the Treasury, to ared.  720045, in settlemer	y further certify purpose of sa into the Trease ogether with the
esolute onformation the coney of to l	tion, can mity with ct, that su credit of the s anticipal Exceed:	be incurred with the requirement ufficient moneys the appropriation ated to come into	out the violations of the Charte to meet the obliner which the other Treasury,  LAW FIRM, AF  Mayor or his designs, Interest, cost	ss and obligation to n of any of the prov r of the City of San ligations of said cor e same are to be dr to the credit of said \$97,500.0 PC AND DOLORES Corrected to pay the sum s, and fees of any type	o be incurred isions of the Diego, that so tract are act awn, and that appropriation of \$97,500 from the local feet and feet awn, and the dispersion of \$97,500 from the local feet are also and the local feet are also and the local feet are also as a local feet are also a local feet are also as a local feet are also as a local feet are also as a	by the co Charter of sufficient in ually in the at the said on, are off	ontract or agreemen  f the City of San Die moneys have been the Treasury, or are a money now actuall merwise unencumbe  collection Liability Fund No. the sees against City of S	ego; and I do hereby appropriated for the anticipated to come y in the Treasury, to ared.  720045, in settlement an Diego, its agents a	y further certify purpose of sa Into the Treasi ogether with the ant of each and evand employees,
esolut onfor ontra o the ononey ot to I endor urpos	tion, can mity with ct, that su credit of the s anticipal Exceed:	be incurred with the requirement ufficient moneys the appropriation ated to come into	out the violations of the Charte to meet the object to meet the object the Treasury,  LAW FIRM, AF  Mayor or his design, Interest, cost  3/16/2013 incide	ss and obligation to n of any of the prov r of the City of San ligations of said cor e same are to be dr to the credit of said \$97,500.0 PC AND DOLORES Corrected to pay the sum s, and fees of any typ int that is the subject	o be incurred isions of the Diego, that so tract are act awn, and that appropriation of \$97,500 from the local field in the loc	by the co Charter of sufficient in ually in the at the said on, are off	ontract or agreemen  f the City of San Die moneys have been le Treasury, or are a  money now actuall nerwise unencumbe  blic Liability Fund No. less, against City of S  awsult, Court Case No	ego; and I do hereby appropriated for the anticipated to come by in the Treasury, to ared.  720045, in settlement an Diego, Its agents a co. 37-2014-00025875	y further certify purpose of sa Into the Treasu ogether with the int of each and even and employees, i-CU-POCTL.
esolut onfor ontra o the e noney ot to I endor urpos	tion, can mity with ct, that su credit of the s anticipal Exceed:	be incurred with the requirement ufficient moneys the appropriation ated to come into	out the violations of the Charte to meet the obliner which the other Treasury,  LAW FIRM, AF  Mayor or his design, Interest, costs  3/16/2013 incide	ss and obligation to n of any of the prov r of the City of San ligations of said cor e same are to be dr to the credit of said \$97,500.0 PC AND DOLORES Corrected to pay the sum s, and fees of any type	o be incurred isions of the Diego, that so tract are act awn, and that appropriation of \$97,500 from the local field in the loc	by the co Charter of sufficient in ually in the at the said on, are off	ontract or agreemen  f the City of San Die moneys have been the Treasury, or are a money now actuall merwise unencumbe  collection Liability Fund No. the sees against City of S	ego; and I do hereby appropriated for the anticipated to come by in the Treasury, to ared.  720045, in settlement an Diego, Its agents a co. 37-2014-00025875	y further certify purpose of sa into the Trease ogether with the at of each and eventor and employees, -CU-POCTL.
esolutionformontrace the contraction the contraction to life for the contraction to li	tion, can mity with ct, that su credit of the s anticipal Exceed:	be incurred with the requirement ufficient moneys the appropriation ated to come into	out the violations of the Charte to meet the obliner which the other Treasury,  LAW FIRM, AF  Mayor or his design, Interest, costs  3/16/2013 incide	ss and obligation to n of any of the prov r of the City of San ligations of said cor e same are to be dr to the credit of said \$97,500.0 PC AND DOLORES Compare to pay the sum s, and fees of any typ ant that is the subject	o be incurred isions of the Diego, that so tract are act awn, and that appropriation of \$97,500 from the local field in the loc	by the co Charter of sufficient in ually in the at the said on, are off	ontract or agreemen  f the City of San Die moneys have been le Treasury, or are a  money now actuall nerwise unencumbe  blic Liability Fund No. less, against City of S  awsult, Court Case No	ego; and I do hereby appropriated for the anticipated to come y in the Treasury, to cred.  720045, in settlement an Diego, its agents a construction of the constructi	y further certify purpose of sa into the Trease ogether with the at of each and eventor and employees, -CU-POCTL.
esolution for interest of the second	tion, can mity with ct, that su credit of the santicipal exceed:	be incurred with the requirement ufficient moneys the appropriation ated to come into SIDIROPOULOS Authorizing the M claim for damage arising from the M	out the violations of the Charte to meet the object to meet the object the Treasury, and the Treasury,	ss and obligation to n of any of the prov r of the City of San ligations of said cor e same are to be dr to the credit of said \$97,500.0 PC AND DOLORES Of gnee to pay the sum s, and fees of any typ int that is the subject	o be incurred isions of the Diego, that so tract are act awn, and that appropriation of \$97,500 fm of \$97,500 fm of Dolores Go	by the co Charter of sufficient in ually in the at the said on, are off or the Pul ttorneys' for ponzalez's in	ontract or agreemen  f the City of San Die moneys have been le Treasury, or are a  money now actuall nerwise unencumbe  collc Llability Fund No. less, against City of Sawsuit, Court Case No	ego; and I do hereby appropriated for the anticipated to come by in the Treasury, to bred.  720045, in settlement an Diego, Its agents a co. 37-2014-00025875  Alfuente Alfuente Alfuente English and Diego an	y further certify purpose of sa into the Treasu ogether with the same of the s
solution for solut	tion, can mity with ct, that su credit of the s anticipal Exceed:	be incurred with the requirement ufficient moneys the appropriation ated to come into	out the violations of the Charte to meet the object the Treasury,  S LAW FIRM, AF  Mayor or his designed, Interest, costs  3/16/2013 incide  Jar  Internal Order	ss and obligation to n of any of the prov r of the City of San ligations of said cor e same are to be dr to the credit of said \$97,500.0 PC AND DOLORES Compare to pay the sum s, and fees of any typ ant that is the subject	be incurred isions of the Diego, that so tract are act awn, and that appropriation of \$97,500 fm be, including a of Dolores Go	by the co Charter of sufficient in ually in the at the said on, are off	ontract or agreemen  f the City of San Die moneys have been le Treasury, or are a  money now actuall nerwise unencumbe  blic Liability Fund No. less, against City of S  awsult, Court Case No	ego; and I do hereby appropriated for the anticipated to come y in the Treasury, to red.  720045, in settlement an Diego, its agents a co. 37-2014-00025875 an Alfuente COMPTROLLER'S EP.	y further certify purpose of sa into the Treasing of the
esolution for the state of the	tion, can mity with ct, that si credit of t s anticip  Exceed:  e:	be incurred with the requirement ufficient moneys the appropriation ated to come into SIDIROPOULOS Authorizing the N Claim for damage arising from the I	out the violations of the Charte to meet the object to meet the object the Treasury, and the Treasury,	ss and obligation to n of any of the prov r of the City of San ligations of said cor e same are to be dr to the credit of said \$97,500.0 PC AND DOLORES Of gnee to pay the sum s, and fees of any typ int that is the subject nuary 26, 2016  Functional Area OTHR-00000000-GG	be incurred isions of the Diego, that so tract are act awn, and that appropriation of \$97,500 fm be, including a of Dolores Go	by the co Charter of sufficient in ually in the at the said on, are off on the Pul ttorneys' for paralez's had	ontract or agreement fithe City of San Die moneys have been are Treasury, or are at money now actuall nerwise unencumber of the Country of Sawsult, Court Case No By: Jonathar Cost Center	ego; and I do hereby appropriated for the anticipated to come by in the Treasury, to bred.  720045, in settlement an Diego, Its agents a co. 37-2014-00025875  Alfuente Alfuente Alfuente English and Diego an	y further certify purpose of sa Into the Treasu ogether with the int of each and even and employees, i-CU-POCTL.
esolution for contract of the	tion, can mity with ct, that si credit of t s anticip  Exceed:  e:	be incurred with the requirement ufficient moneys the appropriation ated to come into SIDIROPOULOS Authorizing the N claim for damage arising from the I	out the violations of the Charte to meet the object the Treasury,  S LAW FIRM, AF  Mayor or his designed, Interest, costs  3/16/2013 incide  Jar  Internal Order	ss and obligation to n of any of the prov r of the City of San ligations of said cor e same are to be dr to the credit of said \$97,500.0 PC AND DOLORES Of gnee to pay the sum s, and fees of any typ int that is the subject nuary 26, 2016 Functional Area	be incurred isions of the Diego, that so tract are act awn, and that appropriation of \$97,500 fm be, including a of Dolores Go	by the co Charter of sufficient in ually in the at the said on, are off on the Pul ttorneys' for paralez's had	ontract or agreement fithe City of San Die moneys have been are Treasury, or are at money now actuall nerwise unencumber of the Country of Sawsult, Court Case No By: Jonathar Cost Center	ego; and I do hereby appropriated for the anticipated to come by in the Treasury, to bred.  720045, in settlement an Diego, Its agents a co. 37-2014-00025875  Alfuente Alfuente Alfuente English and Diego an	y further certify purpose of sa into the Treasu ogether with the other with the o
esolution for interest of the second	tion, can mity with ct, that si credit of t s anticip  Exceed:  e:	be incurred with the requirement ufficient moneys the appropriation ated to come into SIDIROPOULOS Authorizing the N Claim for damage arising from the I	out the violations of the Charte to meet the object the Treasury,  S LAW FIRM, AF  Mayor or his designed, Interest, costs  3/16/2013 incide  Jar  Internal Order	ss and obligation to n of any of the prov r of the City of San ligations of said cor e same are to be dr to the credit of said \$97,500.0 PC AND DOLORES Of gnee to pay the sum s, and fees of any typ int that is the subject nuary 26, 2016  Functional Area OTHR-00000000-GG	be incurred isions of the Diego, that so tract are act awn, and that appropriation of \$97,500 fm be, including a of Dolores Go	by the co Charter of sufficient in ually in the at the said on, are off on the Pul ttorneys' for paralez's had	ontract or agreement fithe City of San Die moneys have been are Treasury, or are at money now actuall nerwise unencumber of the Country of Sawsult, Court Case No By: Jonathar Cost Center	ego; and I do hereby appropriated for the anticipated to come by in the Treasury, to bred.  720045, in settlement an Diego, Its agents a co. 37-2014-00025875  Alfuente Alfuente Alfuente English and Diego an	y further certify purpose of sa into the Treasu ogether with the other with the o
esolution for interest of the second	tion, can mity with ct, that si credit of t s anticip  Exceed:  e:	be incurred with the requirement ufficient moneys the appropriation ated to come into SIDIROPOULOS Authorizing the N claim for damage arising from the I	out the violations of the Charte to meet the object the Treasury,  S LAW FIRM, AF  Mayor or his designed, Interest, costs  3/16/2013 incide  Jar  Internal Order	ss and obligation to n of any of the prov r of the City of San ligations of said cor e same are to be dr to the credit of said \$97,500.0 PC AND DOLORES Of gnee to pay the sum s, and fees of any typ int that is the subject nuary 26, 2016  Functional Area OTHR-00000000-GG	be incurred isions of the Diego, that so tract are act awn, and that appropriation of \$97,500 fm be, including a of Dolores Go	by the co Charter of sufficient in ually in the at the said on, are off on the Pul ttorneys' for paralez's had	ontract or agreement fithe City of San Die moneys have been are Treasury, or are at money now actuall nerwise unencumber of the Country of Sawsult, Court Case No By: Jonathar Cost Center	ego; and I do hereby appropriated for the anticipated to come y in the Treasury, to red.  720045, in settlement an Diego, its agents a co. 37-2014-00025875  Alfuente WBS	y further certify purpose of sa into the Treasu ogether with the other with the o
esolution for contract of the	tion, can mity with ct, that si credit of t s anticip  Exceed:  e:	be incurred with the requirement ufficient moneys the appropriation ated to come into SIDIROPOULOS Authorizing the N claim for damage arising from the I	out the violations of the Charte to meet the object the Treasury,  S LAW FIRM, AF  Mayor or his designed, Interest, costs  3/16/2013 incide  Jar  Internal Order	ss and obligation to n of any of the prov r of the City of San ligations of said cor e same are to be dr to the credit of said \$97,500.0 PC AND DOLORES Of gnee to pay the sum s, and fees of any typ int that is the subject nuary 26, 2016  Functional Area OTHR-00000000-GG	o be incurred isions of the Diego, that sontract are act awn, and that appropriation of SONZALEZ  of \$97,500 from the including a contract of Solores Government of Dolores Government S12006	by the co Charter of sufficient in ually in the at the said on, are off on the Pul ttorneys' for onzalez's in Business Area 1515	ontract or agreement fithe City of San Die moneys have been are Treasury, or are at money now actuall nerwise unencumber of the Country of Sawsult, Court Case No By: Jonathar Cost Center	ego; and I do hereby appropriated for the anticipated to come y in the Treasury, to red.  720045, in settlement an Diego, Its agents a co. 37-2014-00025875  Alfuente WBS	y further certify purpose of sa into the Treasing of the
solution for interest of the context	tion, can mity with ct, that si credit of t s anticip  Exceed:  e:	be incurred with the requirement ufficient moneys the appropriation ated to come into SIDIROPOULOS Authorizing the N claim for damage arising from the I	out the violations of the Charte to meet the object the Treasury,  S LAW FIRM, AF  Mayor or his designed, Interest, costs  3/16/2013 incide  Jar  Internal Order	ss and obligation to n of any of the prov r of the City of San ligations of said cor e same are to be dr to the credit of said \$97,500.0 PC AND DOLORES Of gnee to pay the sum s, and fees of any typ int that is the subject nuary 26, 2016  Functional Area OTHR-00000000-GG	o be incurred isions of the Diego, that sontract are act awn, and that appropriation of SONZALEZ  of \$97,500 from the including a contract of Solores Government of Dolores Government S12006	by the co Charter of sufficient in ually in the at the said on, are off on the Pul ttorneys' for onzalez's in Business Area 1515	ontract or agreement fithe City of San Die moneys have been are Treasury, or are at money now actuall nerwise unencumber of the Country of Sawsult, Court Case No By: Jonathar Cost Center	ego; and I do hereby appropriated for the anticipated to come y in the Treasury, to red.  720045, in settlement an Diego, its agents a co. 37-2014-00025875  Alfuente WBS	y further certify purpose of sa into the Treasing the Treasing gether with the state of each and eand employees, CU-POCTL.  Original Amou \$97,500.6

R-310283

sed by the Council of The City	y of San Diego on	MAR <b>01</b> 2	2016 by	the following vote:	
Councilmembers	Yeas	Nays	Not Present	Recused	
Sherri Lightner	Ø				
Lorie Zapf	Ź				
Todd Gloria	ĺ				
Myrtle Cole	abla				
Mark Kersey	)       				
Chris Cate					
Scott Sherman	Ø				
David Alvarez			. 🗆		
Marti Emerald					
te of final passageMAR	1 0 2016	_•			
ease note: When a resolution proved resolution was retur	on is approved by ned to the Office	the Mayor, th of the City Cle	e date of final pass rk.)	age is the date the	
THENTICATED BY:				AULCONER f San Diego, Califor	nia.
			<u>ELIZABETH</u>		
(Seal)		City By	y Clerk of The City	of San Diego, Calif	ornia. _, Deput

Resolution Number R-310283