

RESOLUTION NUMBER R- 310288

DATE OF FINAL PASSAGE MAR 23 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING SETTLEMENT OF ARIANA
FLORIDIA.

WHEREAS, on April 1, 2015, Plaintiff Ariana Florida filed suit against the City of San Diego [City] alleging personal injuries arising from an incident which occurred on November 8, 2013. The suit is entitled *Ariana Florida v. Jose Garcia, et al.*, San Diego Superior Court Case No. 37-2014-000025578-CU-PO-CTL [Litigation]; and

WHEREAS, in Closed Session on February 9, 2016, the City Council, by the following votes:

Yeas, Districts 1, 2, 3, 4, 5, 6, 7, 8, 9; Nays, None; and

WHEREAS, the City Council in Closed Session on February 9, 2016, authorized settlement of the Litigation for an amount consistent with the amount set forth below;

NOW, THEREFORE,

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

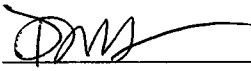
1. The Mayor or his designee to pay the sum of \$600,000 from the Public Liability Fund No. 720045, in settlement of each and every claim for damages, interest, costs, and fees of any type, including attorney fees, against City of San Diego, its agents and employees, arising from the personal injury claim of Ariana Florida, San Diego Superior Court Case No. 37-2014-000025578-CU-PO-CTL.

2. The Chief Financial Officer to appropriate and expend \$600,000 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. The Comptroller to issue a check in the sum of \$600,000, made payable to Laureti & Associates APC, Client trust account.


APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Bonny Hsu
Deputy City Attorney

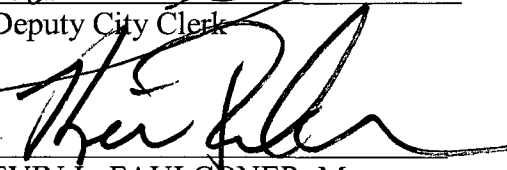
BH:my
January 22, 2016
Or.Dept:045
CC No. "INSERT Comptroller's Certificate #"
Doc. No.: 1210866

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAR 08 2016

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 3/21/16
(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 3000008585
 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: _____ Fund: _____

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

CERTIFICATION OF UNENCUMBERED BALANCE

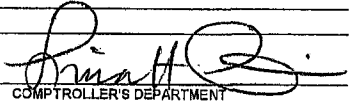
I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the 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: _____ \$600,000.00

Vendor: Laureti & Associates APC

Purpose: Settlement of the personal injury claim of Ariana Florida, Risk Management File No. 8939, SD Superior Court Case No. 37-2014-000025578-CU-PO-CTL.

Date: _____ February 18, 2016

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		\$600,000.00
TOTAL AMOUNT									\$600,000.00

FUND OVERRIDE

CC 3000008585

Passed by the Council of The City of San Diego on MAR 08 2016, 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"/>
Lorie Zapf	<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"/>
Chris Cate	<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 MAR 23 2016

(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  Deputy

Office of the City Clerk, San Diego, California

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