

RESOLUTION NUMBER R- 310356

DATE OF FINAL PASSAGE APR 14 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE SETTLEMENT AGREEMENT
BETWEEN BENELIA SANTOS-HUNTER, an individual AND
THE CITY OF SAN DIEGO

WHEREAS, on August 15, 2014, BENELIA SANTOS-HUNTER, an individual filed
suit against the City of San Diego [City] alleging personal injuries arising from sexual
harassment and related claims of Benelia Santos-Hunter. Plaintiff brought suit in the San Diego
Superior Court. The suit is entitled *Benelia Santos-Hunter v. City of San Diego*, San Diego
Superior Court Case No. 37-2014-00027634-CU-OE-CTL [Litigation]; and

WHEREAS, in Closed Session on February 2, 2016, the City Council, by the following
votes:

Yeas, District(s) 1, 2, 3, 4, 5, 6, 7, 8, 9; Nays, None; approved the Settlement.

WHEREAS, the City Council in closed session on February 2, 2016, authorized
settlement of the Litigation for an amount consistent with the amounts set forth; NOW,
THEREFORE,

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

1. Authorizing the Mayor or his designee to pay the sum of \$641,000.00 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 *Benelia Santos-Hunter vs. City of San Diego, et al.*, 37-2014-00027634-CU-OE-CTL.

2. Authorizing the Chief Financial Officer to appropriate and expend \$641,000.00 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. Authorizing the Comptroller to issue four checks totaling \$641,000, made payable as follows: 1) \$119,800 to the "Gruenberg Law Firm Client Trust Account"; 2) \$166,000 to "Joshua Gruenberg, Attorney"; 3) \$100,000 to "Havelet Assignment Company"; and 4) \$255,200 to Barco Assignments, Ltd.

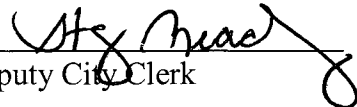
APPROVED: JAN I. GOLDSMITH, City Attorney

By 
George Schaefer
Lead Deputy City Attorney

GFS:gcb
3/15/2016
Or.Dept: City Attorney
CC No. 3000008700
Doc. No.: 1246323

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 12 2016.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 9/14/16
(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 3000008700
 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: _____

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									

CERTIFICATION OF UNENCUMBERED BALANCE

FUND OVERRIDE

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: \$641,000.00

Vendor: Gruenberg Law Firm Client Trust Account - \$119,800.00
 Vendor: Joshua Gruenberg, Attorney - \$166,000.00
 Vendor: Havelet Assignment Company - \$100,000.00
 Vendor: Barco Assignments, Ltd - \$255,200.00

Purpose: Authorizing the Mayor or his designee to pay the sum of \$641,000.00 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 Benella Santos-Hunter vs. City of San Diego, et al., 37-2014-00027634-CU-OE-CTL

Date: March 16, 2016 By: Jonathan Alfuentes
 COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
1	720045			OTHR-00000000-GG	512006	1515	1515000011		\$641,000.00
TOTAL AMOUNT									\$641,000.00

FUND OVERRIDE

CC 3000008700

Passed by the Council of The City of San Diego on APR 12 2016, 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Marti Emerald	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Date of final passage APR 14 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 *Sty Brady*, Deputy

Office of the City Clerk, San Diego, California

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