

RESOLUTION NUMBER R- 310611

DATE OF FINAL PASSAGE JUL 20 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO APPROVING SETTLEMENT OF GARRETT  
SLAVIN AND PAMELA SLAVIN.

WHEREAS, on August 26, 2014, Plaintiffs Garrett Slavin and Pamela Slavin filed suit against the City of San Diego [City] alleging personal injuries arising from an incident which occurred on July 13, 2013. The suit is entitled *Garrett Slavin, et al. v. City of San Diego, et al.*, San Diego Superior Court Case No. 37-2014-000028796-CU-PO-CTL [Litigation]; and

WHEREAS, in Closed Session on May 24, 2016, the City Council, by the following votes:

Yeas, Districts 1, 3, 4, 5, 6, 7, 8; Nays, None; Absent, Districts 2, 9; 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 \$375,000 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 Garrett Slavin and Pamela Slavin, San Diego Superior Court Case No. 37-2014-000028796-CU-PO-CTL.

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2. The Chief Financial Officer to appropriate and expend \$375,000 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 amount of \$375,000, made payable to Simpson Law Group CTA ITF Garrett and Pamela Slavin.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
\_\_\_\_\_  
Bonny Hsu  
Deputy City Attorney

BH:my  
May 17, 2016  
August 1, 2016 CORR. COPY  
Or. Dept: 1400  
CC No. 3000009024  
Doc. No.: 1330400

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 19 2016.

ELIZABETH S. MALAND  
City Clerk

By \_\_\_\_\_  
Deputy City Clerk

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

~~Vetoed:~~ \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

See attached memo and signature page.

Office of  
The City Attorney  
City of San Diego

RECEIVED  
CITY CLERK'S OFFICE  
16 AUG -1 PM 10:11  
SAN DIEGO, CALIF.

MEMORANDUM

**DATE:** August 2, 2016  
**TO:** Elizabeth Maland, City Clerk  
**FROM:** Bonny Hsu, Deputy City Attorney *BH*  
**SUBJECT:** Item #109 – R-2016-670 – Council Meeting of July 19, 2016

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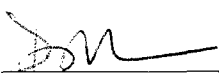
A corrected copy of the Resolution No. R-2016-670 is submitted to reflect the correct Comptrollers Certificate No. 3000009024, which was adopted by the City Council on July 19, 2016.

BH:my

2. The Chief Financial Officer to appropriate and expend \$375,000 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 amount of \$375,000, made payable to Simpson Law Group CTA ITF Garrett and Pamela Slavin.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Bonny Hsu  
Deputy City Attorney

BH:my  
May 17, 2016  
Or. Dept: 1400  
CC No. "INSERT Comptroller's Certificate #"  
Doc. No.: 1289743

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 19 2016.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 7/20/16  
(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 3000009024  
 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: \$375,000.00

Vendor: Simpson Law Group CTA ITF Garrett and Pamela Slavin

Purpose: Settlement of personal injury claims of Garrett Slavin and Pamela Slavin, Risk Management file No. 8910.

Date: June 8, 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		\$375,000.00
TOTAL AMOUNT									\$375,000.00

FUND OVERRIDE

CC 3000009024

Passed by the Council of The City of San Diego on JUL 19 2016, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherr Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 JUL 20 2016.

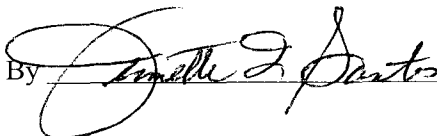
**(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)**

AUTHENTICATED BY:

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R- 310611