#/09 (R-2018-11) 8/1//7

RESOLUTION NUMBER R- 311282

DATE OF FINAL PASSAGE AUG 0 4 2017

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

WHEREAS, on November 17, 2015, DENISE MILLS, an individual filed suit against the City of San Diego [City] alleging

Plaintiff brought suit in the San Diego Superior Court. The suit is entitled *Denise Mills v. City of San Diego, et al.*, Case No 37-2015-00038368-CU-OE-CTL [Litigation]; and

WHEREAS, in Closed Session on June 20, 2017, the City Council, by the following votes: Yeas, District(s) 1, 3, 4, 5, 7, 8, and 9; Nays, None; and Absent, 2 and 6; approved the Settlement.

WHEREAS, the City Council in closed session on June 20, 2017, authorized settlement of the Litigation for an amount consistent with the amounts set forth below;

NOW, THEREFORE,

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

1. Authorizes the Mayor or his designee to pay the sum of \$175,000.00 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 Denise Mills v. City of San Diego, San Diego Superior Court Case No. 37-2015-00038368.

- 2. Authorizes the Chief Financial Officer to appropriate and expend \$175,000.00 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. Authorizes the Comptroller to issue a check in the amount of \$175,000.00, made payable to the Gilleon Law Firm Trust Account.

APPROVED: MARA W. ELLIOTT, City Attorney

| By | Paula Deloisty |
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| • | Laura M. DePoister |
| | Deputy City Attorney |

LMD: bg June 28, 2017

Or. Dept: City Attorney CC No. 3000010165 Doc. No.: 1531428

| I certify that the f meeting of | Foregoing Resolution was paragram AUG 0 1 2017 | ssed by the Council of the City of San Diego, at this |
|---------------------------------|--|---|
| | | ELIZABETH S. MALAND City Clerk |
| | | Deputy Of Clerk |
| Approved: | 8/3/17 (date) | KEVIN L. FAULCONER, Mayor |
| Vetoed: | (date) | KEVIN L. FAULCONER, Mayor |

The City of San Diego COMPTROLLER'S CERTIFICATE

| THEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the assury, or is anticipated to come into the Treasury, and is otherwise unallotted. Fund: | | | | | 3 | | ITED BAL | | ORIGINATING | CC_ | 3000010165 |
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| Passed by the Council of The City of Sa | n Diego on _ | Α | UG 0 1 2017 | , by the following vote: |
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| Passed by the Council of The City of Sa Councilmembers Barbara Bry Lorie Zapf Chris Ward Myrtle Cole Mark Kersey Chris Cate Scott Sherman David Alvarez Georgette Gomez | Yeas Yeas | Nays | Not Present | Recused |
| Date of final passageAUG 0 4 2 (Please note: When a resolution is appaperoved resolution was returned to a | proved by the | the City Cler | k.) KEVIN L. FA | |
| (Seal) | | City By | | of San Diego, California. |
| | | | σ | Diego, California |