

RESOLUTION NUMBER R- 311339

DATE OF FINAL PASSAGE OCT 04 2017

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING SETTLEMENT OF MELANIE
WILSON

WHEREAS, on May 13, 2016, Plaintiff Melanie Wilson filed suit against the City of San Diego [City] alleging personal injuries arising from her interaction with former San Diego Police Officer Christopher Hays which occurred on December 23, 2013. The suit is entitled *Melanie Wilson v. Christopher Hays and the City of San Diego*, Case No. 16cv1161 BAS (DHB); and

WHEREAS, in closed session on June 20, 2017, the City Council, by the following votes: Yeas, Districts 1, 2, 3, 4, 5, 6, 7, 8, and 9; Nays, none, approved the settlement of Melanie Wilson's claim for an amount consistent with the amounts set forth below and pursuant to such other terms more fully set forth in a settlement agreement; NOW, THEREFORE,

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

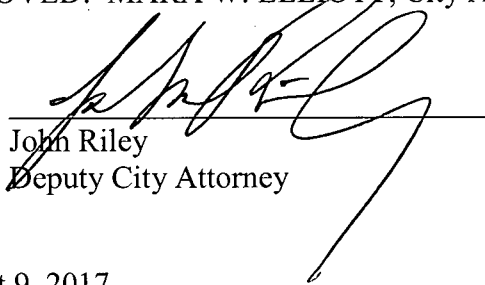
1. The Mayor or his designee to pay the sum of \$250,000 from the Public Liability Fund 720045, in settlement of each and every claim for damages, interest, costs, and fees of any type, including attorney fees, against City of San Diego, its agents and employees, arising from the personal injury claim of Melanie Wilson, United States District Court Case No. 16cv1161 BAS (DHB).

2. The Chief Financial Officer to appropriate and expend \$250,000 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. Authorizes the Comptroller to issue two separate checks. One check made payable to the Gilleon Law Firm in the sum of \$175,000.00; and one check in the sum of \$75,000.00, made payable to the Mutual of Omaha Structured Settlement Company on behalf of Plaintiff Melanie Wilson.

APPROVED: MARA W. ELLIOTT, City Attorney

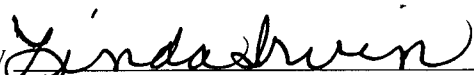
By


John Riley
Deputy City Attorney

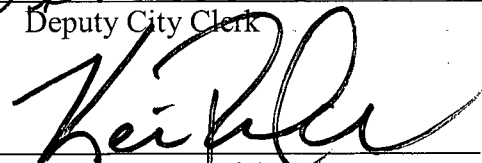
JR:slc
August 9, 2017
Or.Dept: 1400
CC No. 3000010305
Doc. No.: 153226

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 03 2017.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 10/4/17
(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 3000010305
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

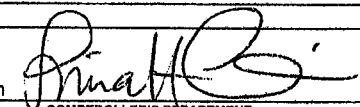
CERTIFICATION OF UNENCUMBERED BALANCE

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: \$250,000.00

Vendor: Gilleon Law Firm (\$175,000.00)
Vendor: Mutual of Omaha Structured Settlement Company (\$75,000.00)

Purpose: Authorizing the expenditure of funds for the settlement of personal injury claim of Melanie Wilson. Risk Mgmt File No. 13058.

Date: August 31, 2017 By: Lina Chlm 

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		\$250,000.00
TOTAL AMOUNT									\$250,000.00

Passed by the Council of The City of San Diego on OCT 03 2017, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<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"/>
Chris Ward	<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"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

OCT 04 2017

Date of final passage _____

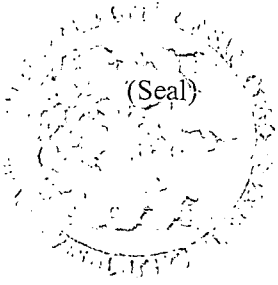
(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

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.

By *Ginda Bruin*, Deputy



Office of the City Clerk, San Diego, California
Resolution Number R- 311339