RESOLUTION NUMBER R- 311426

DATE OF FINAL PASSAGE NOV 2 0 2017

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE SETTLEMENT BETWEEN MARC PASKIN AND THE CITY OF SAN DIEGO

WHEREAS, Marc Paskin filed a claim with the City of San Diego (City) for damages to his residence and property located at 8550 El Paseo Grande, La Jolla, following the failure of a City storm drain on January 6, 2016. Claim No. 12581 was reviewed by City of San Diego's Risk Management Department; and

WHEREAS, on September 19, 2017, the City Council by the following votes: Yeas, Districts 1, 2, 3, 4, 5, 6, 7 8, 9; Nays, None; and Absent, None, approved the settlement of the claim for an amount consistent with the amounts set forth below; NOW THEREFORE,

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

- 1. Authorizing the Mayor or his designee to pay the sum of \$681,785.00 from the Liability Fund 720045 in settlement of each and every claim for damages, interest, costs and fees of any type, including attorney fees, against the City, its agents and employees, arising from the January 6, 2016 incident that is the subject of Marc Paskin's claim;
- 2. Authorizing the Chief Financial Officer to appropriate and expend \$681,785.00 from the 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; and

payable to Thorsnes Bartolotta McGuire Client Trus	st Account.
APPROVED: MARA W. ELLIOTT, City Attorney	
By Catherine A. Richardson Chief Deputy City Attorney	
CAR:slc September 22, 2017 Or. Dept: City Attorney CC No. 3000010427 Doc. No.: 1589135	
I certify that the foregoing Resolution was passed by meeting of NOV 1 4 2017	y the Council of the City of San Diego, at this
	ELIZABETH S. MALAND City Clerk
14 /2 0 /22	By Deputy Cay Clerk
Approved: ///10/17 (date)	KEVIN L. FAULCONER, Mayor
Vetoed: (date)	KEVIN L. FAULCONER, Mayor

Authorizing the Comptroller to issue a check in the sum of \$681,785.00 made

3.

## The City of San Diego COMPTROLLER'S CERTIFICATE

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CC 3000010427

Passed by the Council of The City	y of San Diego on _	N	OV 1 4 2017	, by the following vote
Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	$ ot \square$			
Lorie Zapf	· ,			
Chris Ward				
Myrtle Cole	Ø			
Mark Kersey	Ø			
Chris Cate	$ ot \square$			
Scott Sherman	$ ot \hspace{-1em}  ot $			
David Alvarez	Ø.			
Georgette Gomez	Ø			
Date of final passage NOV	V 2.0 2017			
(Please note: When a resolution approved resolution was return AUTHENTICATED BY:	ed to the Office of t	the City Cler	rk.) KEVIN L. FA	
				IS. MALAND
(Seal)		City	Clerk of The City of	of San Diego, California.
		Ву	Hy Musel	, Deputy
·				
		Office of the	e City Clerk, San [	Diego, California
	Resol	lution Numbe	er R <b>3</b> .	11426