(R-2018-165)

## RESOLUTION NUMBER R- 311444 DATE OF FINAL PASSAGE DEC 0 8 2017

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE SETTLEMENT BETWEEN DEBORAH GANLEY AND THE CITY OF SAN DIEGO.

WHEREAS, on or about January 6, 2016, Deborah Ganley [Ganley] filed suit against the City of San Diego [City] in the Superior Court of the State of California. The suit is entitled *Deborah Ganley v. City of San Diego*: San Diego Superior Court Case No. 37-2016-00000261-CU-OE-CTL (the "Action");

WHEREAS, by agreeing to settle the Action, the City does not make any admission that they have engaged, or are engaging, in any unlawful conduct, and specifically deny the allegations set forth in the complaint;

WHEREAS, pursuant to the terms of the settlement, Ganley agrees to dismiss the Action in its entirety, with prejudice, after receipt of a total settlement payment in the amount of 75,850.01: and

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

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

1. Authorize the Mayor or his designee to pay the sum of \$75,850.01 from Public Liability Fund No. 720045, in settlement of each and every claim, including attorney's fees, against the City of San Diego, its agents, and employees, arising from *Deborah Ganley v. City of San Diego*: San Diego Superior Court Case No. 37-2016-00000261-CU-OE-CTL.

- 2. Authorize the Chief Financial Officer to appropriate and expend \$75,850.01 from Public Liability Fund No. 720045, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for this expenditure are, or will be, on deposit with the City Treasurer.
- 3. Authorize the Comptroller to issue a check in the amount of \$75,850.01 made payable to the Deborah Ganley and the Law Office of Michael A. Conger.

APPROVED: MARA W. ELLIOTT, City Attorney

By David

DJK:aml

October 26, 2017

Or.Dept: City Attorney CC No. 3000010478 Doc. No.: 1613286

I certify that the foregoing Resolution was meeting of DEC 0 5 2017	as passed by the Council of the City of San Diego, at this
	ELIZABETH S. MALAND City Clerk
	Deput Gity Clerk
Approved: 12/8/17 (date)	KEVIN L. FAULCONER, Mayor
Vetoed: (date)	KEVIN L. FAULCONER, Mayor

## The City of San Diego COMPTROLLER'S CERTIFICATE

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