(R-2018-332)

311618 RESOLUTION NUMBER R-APR 03 2018

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING SETTLEMENT OF ELVIA **GONZALEZ** 

DATE OF FINAL PASSAGE

WHEREAS, on May 11, 2016, Plaintiff Elvia Gonzalez filed suit against the City of San Diego [City] alleging personal injuries arising from a trip-and-fall on a City street on December 24, 2015. The suit is entitled Elvia Gonzalez v. City of San Diego, Case No. 37-2016-00015752-CU-PO-CTL; and

WHEREAS, in closed session on February 6, 2018, the City Council, by the following votes: Yeas, Districts 1, 2, 3, 4, 5, 6, 7, 8, 9; Nays, none, approved the City's settlement of Elvia Gonzalez'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 release; NOW, THEREFORE,

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

- Authorizes the Mayor or his designee to pay the sum of \$75,000.00 from Public 1. Liability Fund No. 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 personal injury complaint of Elvia Gonzalez, entitled Elvia Gonzalez v. City of San Diego, San Diego Superior Court Case No. 37-2016-00015752-CU-PO-CTL.
- Authorizes the Chief Financial Officer to expend \$75,000.00 from Public 2. Liability Fund No. 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 \$75,000.00 made payable to "Law Offices of Deon S. Goldschmidt, APC" and "Elvia Gonzalez."

APPROVED: MARA W. ELLIOTT, City Atto	orney
By Casey M. Sweda Deputy City Attorney	
CMS:my 02/08/18 04/05/18 COR. COPY Or.Dept:1400 CC No. C3000010884 Doc. No.: 1721838	
I certify that the foregoing Resolution was pas meeting of	sed by the Council of the City of San Diego, at this
	ELIZABETH S. MALAND City Clerk
	By Sinda Irwin Deputy City Clerk
Approved:(date)	KEVIN L. FAULCONER, Mayor
Vetoed:(date)	KEVIN L. FAULCONER, Mayor
(Note: Please see attached memo and st	ignature page.)
Standard Commence	

## 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 treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.  By:  COMPTROLLERS SEPARTMENT  Fund:  Purpose:    Date:					CERTIFICATE	OF UNALLO	FTED BAL	ANCE		CC 3000010884 EPT. 1211
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## Office of The City Attorney City of San Diego

## **MEMORANDUM**

DATE:

April 5, 2018

TO:

Linda Irvin, Legislative Recorder

FROM:

Casey M. Sweda, Deputy City Attorney

**SUBJECT:** 

Corrected Resolution for Item No. 102

The above-described resolution has been corrected by changing the comptroller's certificate number where it appears on the second page in the historical/reference section following the signature block. No other changes were made to this resolution.

MARA W. ELLIOTT, City Attorney

Casey M. Sweda

Deputy City Attorney

more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer. Authorizes the Comptroller to issue a check in the amount of \$75,000.00, made 3. payable to "Law Offices of Deon S. Goldschmidt, APC and Elvia Gonzalez!" APPROVED: MARA W. ELLIOTT, City Attorney By Deputy City Attorney CMS:my February 8, 2018 Or.Dept:1400 CC No. C3000010844 Doc. No.: 1684871 I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this MAR 2 0 2018 meeting of ELIZABETH S. MALAND City Clerk

KEVIN L. FAULCONER, Mayor

Vetoed:

(date)

Passed by the Council of The Cit	MAR	2 0 2018	, by the following vote	
Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	Ø			
Lorie Zapf	Ø			
Chris Ward	Ø			
Myrtle Cole	<b>Z</b>			
Mark Kersey				
Chris Cate	Ø			
Scott Sherman	Ø			
David Alvarez				
Georgette Gomez				
(Please note: When a resolution approved resolution was return	n is approved by the ned to the Office of	Mayor, the City Clo	e date of final passa erk.) KEVIN L. FA	
AUTHENTICATED BY:		N	Mayor of The City of	San Diego, California.
and the second				S. MALAND
(Seal)		Cit	y Clerk of The City o	of San Diego, California.
		Ву	inda D	بنير), Deputy
•				•
				•
		Office of t	he City Clerk, San	Diego, California

Resolution Number R-

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