RESOLUTION NUMBER R- 312048

DATE OF FINAL PASSAGE NOV 2 0 2018

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE SETTELMENT AGREEMENT BETWEEN DONALD F. HILDRE AND THE CITY OF SAN DIEGO

WHEREAS, on February 7, 2017, DONALD F. HILDRE filed suit against Grant G. Hubbard, Deborah F. Hubbard and the City of San Diego alleging personal injuries arising from a trip and fall on the sidewalk adjacent to 3503 Browning Street, in the City of San Diego, on June 27, 2016. Plaintiff brought suit in the San Diego Superior Court. The suit is entitled *Donald F. Hildre v. Grant G. Hubbard, et al.*: San Diego Superior Court Case No. 37-2017-00004795-CU-PO-CTL; and

WHEREAS, in Closed Session on September 18, 2018, the City Council, by the following votes: Yeas, District(s) 1, 2, 3, 4, 5, 7, and 9; Nays, none, and absent, 6 and 8, approved the settlement; and

WHEREAS, the City Council in Closed Session on September 18, 2018, authorized settlement of the Litigation 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:

1. Authorizes the Mayor or his designee to pay the sum of \$100,000.00 from 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 lawsuit filed by Donald Hildre.

- Authorizes the Chief Financial Officer to expend \$100,000.00 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.
- Authorizes the Comptroller to issue a check in the amount of \$100,000.00, made 3.

payable to Client Trust Account of Cynthia R. Chil	nak.
APPROVED: MARA W. ELLIOTT, City Attorney By Cassandra E. Mougin Deputy City Attorney	
CEM:gcb October 10, 2018 Or.Dept:City Attorney CC No. 300011605 Doc. No.: 1853703 I certify that the foregoing Resolution was passed be meeting of	by the Council of the City of San Diego, at this
meeting of NUV 1 3 2010	 ELIZABETH S. MALAND City Clerk
Approved: 11120 18 (date)	By Man Journ Deputy City Clerk KEVIN L. FAULCONER, Mayor
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KEVIN L. FAULCONER, Mayor

(date)

The City of San Diego COMPTROLLER'S CERTIFICATE

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