

RESOLUTION NUMBER R- 312166

DATE OF FINAL PASSAGE JAN 11 2019

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE SETTLEMENT AGREEMENT BETWEEN VALERIE BROWN AND THE CITY OF SAN DIEGO.

WHEREAS, on May 15, 2017, VALERIE BROWN filed suit against the City of San Diego [City] alleging personal injuries arising from an incident that occurred on August 27, 2016. Plaintiff brought suit in the Superior Court for the County of San Diego. The suit is entitled *Valerie Brown v. City of San Diego, et al.*, San Diego Superior Court Case No. 37-2017-00017538-CU-PA-CTL [Litigation]; and

WHEREAS, in Closed Session on November 13, 2018, the City Council, by the following votes: Yeas, District(s) 1, 3, 4, 5, 6, 7, 8 and 9; Nays, None; and Absent, 2, approved the settlement; and

WHEREAS, the City Council in closed session on November 13, 2018, authorized settlement of the Litigation for an amount consistent with the amounts set forth below and pursuant to such other terms more fully set forth in the Settlement Agreement; NOW,

THEREFORE,

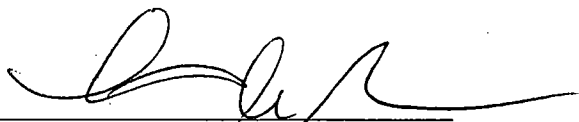
BE IT RESOLVED, by the City Council of the City of San Diego, that the Council:

1. Authorizes the Mayor or his designee to pay the sum of \$125,000.00 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 complaint filed by Valerie Brown.

2. Authorizes the Chief Financial Officer to expend \$125,000.00 from Public 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 \$125,000.00, made payable to Valerie Brown & Aminpour and Associates.

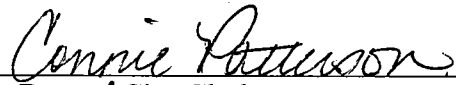
APPROVED: MARA W. ELLIOTT, City Attorney

By   
Catherine A. Richardson  
Senior Chief Deputy City Attorney

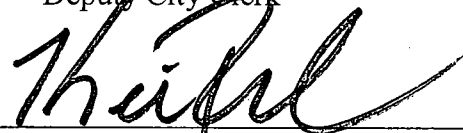
CAR:slc  
November 28, 2018  
Or.Dept: City Attorney  
CC No. 3000011702  
Doc. No.: 1884551

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JAN 08 2019.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 1/11/19  
(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 3000011702  
 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: \$125,000.00

Vendor: Valerie Brown & Aminpour Associates

Purpose: Authorizing the expenditure of funds for the settlement of a complaint filed by Valerie Brown. Risk Management File No. 14117.

Date: December 10, 2018

By: Sonny Bautista 

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	512004	1515	1515000011		\$125,000.00
TOTAL AMOUNT									\$125,000.00

Passed by the Council of The City of San Diego on JAN 08 2019, 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"/>
Jennifer Campbell	<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"/>
Monica Montgomery	<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"/>
Vivian Moreno	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JAN 11 2019

**(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.

(Seal)

By Connie Patterson, Deputy

Office of the City Clerk, San Diego, California

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