工tem#102 2/12/19 (R-2019-333)

RESOLUTION NUMBER R- 312213

DATE OF FINAL PASSAGE FEB 13 2019

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE SETTLEMENT AGREEMENT BETWEEN THOMAS DORSEY AND THE CITY OF SAN DIEGO

WHEREAS, on June 16, 2017, THOMAS DORSEY [Plaintiff] filed suit against the City of San Diego [City] alleging damages arising from a bicycle accident on October 16, 2016.

Plaintiff brought suit in the Superior Court for the County of San Diego. The suit is entitled 
Thomas Dorsey v. City of San Diego, et al., San Diego Superior Court Case No. 37-2017-00021937-CU-PO-CTL [Litigation]; and

WHEREAS, in Closed Session on January 15, 2019, the City Council approved the settlement with the following votes: Yeas: Districts 1, 2, 3, 4, 5, 7, 8 and 9; Nays: None; and Absent: 6; and

WHEREAS, the City Council in Closed Session on January 15, 2019, 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 \$1,000,000.00 from Public Liability Fund No. 720045, in settlement of each and every claim for damages, interest, costs, and fees of any type against City of San Diego, its agents and employees, arising from the complaint filed by Thomas Dorsey; and
- Authorizes the Chief Financial Officer to appropriate and expend of
   \$1,000,000.00 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; and

3. Authorizes the Comptroller to issue a check in the amount of \$1,000,000.00 made payable to "Law Office of Robert Hamparyan Client Trust Account."

APPROVED: MARA W. ELLIOTT, City Attorne	у
By Le-Mai Dam Deputy City Attorney	
LPD: January 18, 2019 Or.Dept: City Attorney CC No. 300011825 Doc. No.: 1911234	
I certify that the foregoing Resolution was passed meeting of FEB 1 2 2019	by the Council of the City of San Diego, at this
	ELIZABETH S. MALAND City Clerk
	By Deputy Sity Clerk
Approved: 2 13 19 (date)	KEVÍN L. FAULCONER, Mayor
Vetoed:	

KEVIN L. FAULCONER, Mayor

(date)

## The City of San Diego COMPTROLLER'S CERTIFICATE

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assed by the Council of The Cit	ty of San Diego	on F	B 1 2 2019	_, by the following vo
Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry				
Jennifer Campbell				
Chris Ward	$\overline{\mathbb{Z}}$			
Monica Montgomery	$\mathbb{Z}$			
Mark Kersey	$\mathbf{Z}$			
Chris Cate	$\mathbb{Z}$			
Scott Sherman	$\mathbb{Z}$			
Vivian Moreno	Z,			
Georgette Gómez	$\mathbb{Z}^{\prime}$			
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