

RESOLUTION NUMBER R- 312311

DATE OF FINAL PASSAGE APR 15 2019

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE SETTLEMENT AGREEMENT
BETWEEN TERRA GODFREY AND THE CITY OF SAN
DIEGO.

WHEREAS, on August 17, 2017, Plaintiff Terra Godfrey filed suit against the City of San Diego alleging property damage arising from the overflow of City's storm water/flood control channel that occurred between July 2012 and August 2016. The suit is entitled *Terra Godfrey v. City of San Diego*, San Diego Superior Court, Case No. 37-2017-00030554-CU-EI-CTL; and

WHEREAS, in closed session on March 12, 2019, the City Council, by the following votes: Yeas, Districts 1, 2, 3, 4, 5, 6, 7, 8, and 9; Nays, none; Absent, none, approved the settlement of Plaintiff's claims for an amount consistent with the amounts set forth below and pursuant to such other terms more fully set forth in a settlement agreement; NOW,

THEREFORE,

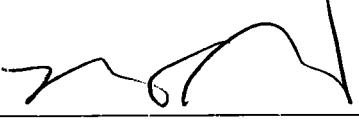
BE IT RESOLVED, by the City Council of the City of San Diego, that the Council:

1. Authorizes the Mayor or his designee to pay the sum of two hundred forty-five thousand dollars (\$245,000.00) from the Public Liability Fund No. 720045, in settlement of each and every claim for damages, interest, costs, and fees of any type, including attorneys' fees, against City of San Diego, its agents and employees, arising from the property damage claim of *Terra Godfrey v. City of San Diego*, San Diego Superior Court, Case No. 37-2017-00030554-CU-EI-CTL.

2. Authorizes the Chief Financial Officer to expend \$245,000.00 from the 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 \$245,000.00 made payable to Lieb & Lieb Client Trust Account.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Benjamin P. Syz
Deputy City Attorney


BPS:bps
March 18, 2019
Or.Dept: City Attorney
Doc. No.: 1956291

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 09 2019.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 4/15/19
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on APR 09 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage APR 15 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.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By [Signature], Deputy

Office of the City Clerk, San Diego, California

312311
Resolution Number R-_____