(R-2020-81)

RESOLUTION NUMBER R- 312646 DATE OF FINAL PASSAGE SFP 1 2 2019

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING SETTLEMENT OF HENRY GONZALES

WHEREAS, on February 26, 2015, Plaintiff Henry Gonzales filed suit against the City of San Diego alleging negligence and battery that occurred on February 27, 2014. The suit is entitled *Henry Gonzales, et al. v. City of San Diego*, Case No. 37-2015-00006708-CU-PO-CTL; and

WHEREAS, in closed session on July 23, 2019, 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 Henry Gonzales' 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; and

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

- 1. The sum of \$275,000.00 to be paid from the 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 claim of Henry Gonzales, San Diego Superior Court Case No. 37-2015-00006708-CU-PO-CTL.
- 2. The Chief Financial Officer to appropriate and expend \$275,000.00 from the Public Liability Fund No. 720045, continent 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.

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ADDDOVED MADA W ELLIOTT O'A	
APPROVED: MARA-W. ELLIOTT, Cit	y Attorney
By Casey M. Sweda Chief Deputy City Attorney	<u> </u>
CMS:mky	
July 31, 2019	
Or.Dept:1400	•
CC No. 3000012458	
Doc. No.: 2069581	
I certify that the foregoing Resolution was meeting of SEP 1 0 2019	ns passed by the Council of the City of San Diego, at this
	ELIZABETH S. MALAND City Clerk
	By Kinda Truen Deputy City Clerk
Approved: 9/12/19 (date)	KEVIN L. FAULCONER, Mayor
Vetoed: (date)	KEVIN L. FAULCONER, Mayor

The Department of Finance to issue a check in the amount of \$ 275,000.00 made

3.

payable to "The Trust Account of Michael A. Feldman.

The City of San Diego COMPTROLLER'S CERTIFICATE

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