

RESOLUTION NUMBER R- 313340

DATE OF FINAL PASSAGE NOV 24 2020

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO APPROVING THE SETTLEMENT BETWEEN  
OHIO SECURITY INSURANCE CO. ASO JEANNE ROSS DBA  
BOXDROP SAN DIEGO AND THE CITY OF SAN DIEGO

WHEREAS, on May 1, 2019, OHIO SECURITY INSURANCE CO. ASO JEANNE  
ROSS DBA BOXDROP SAN DIEGO filed a claim against the City of San Diego [City] alleging  
property damage arising from a break in the City's water main on West Morena Blvd; and

WHEREAS, in Closed Session on September 29, 2020, the City Council, by the  
following votes: Yeas, District(s) 1, 2, 3, 4, 5, 6, 7, 8 and 9; Nays, None; and absent, None,  
approved the Settlement for an amount consistent with the amounts set forth below;

NOW, THEREFORE,

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

1. Authorizes the Mayor or his designee to pay the sum of \$158,908.37 from Water  
Fund No. 700011, 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 property damage claim filed by Ohio Security Insurance Co.

2. Authorize the Chief Financial Officer to expend an amount not to exceed \$158,908.37 from Water Fund No. 700011, for the purpose of settling this claim.

APPROVED: MARA W. ELLIOTT, City Attorney

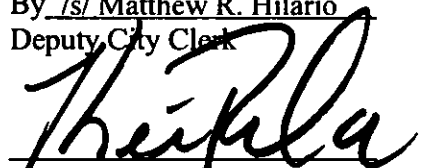
By /s/ Elizabeth L. Atkins  
Elizabeth L. Atkins  
Deputy City Attorney

EA:slc  
10/21/2020  
Or.Dept: City Attorney  
CC No. 3000013600  
Doc. No.: 2509057

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of 11/17/2020.

ELIZABETH S. MALAND  
City Clerk

By /s/ Matthew R. Hilario  
Deputy City Clerk

  
KEVIN L. FAULCONER, Mayor

Approved: 11/23/20  
(date)

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

**The City of San Diego  
COMPTROLLER'S CERTIFICATE**

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING DEPT. NO.: 3000013600  
2000

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: \$158,908.37

Vendor: Ohio Security Insurance Co.

Purpose: Settlement of the property damage claim of Ohio Security Insurance Co. ASO Jeanne Ross DBA Boxdrop San Diego. Claim No. 21031.

Date: October 27, 2020 By: Jessica Tran (reviewed & signed)  
COMPTROLLER'S DEPARTMENT

| ACCOUNTING DATA |        |                |                |                  |             |               |             |     |                 |
|-----------------|--------|----------------|----------------|------------------|-------------|---------------|-------------|-----|-----------------|
| Doc. Item       | Fund   | Funded Program | Internal Order | Functional Area  | G/L Account | Business Area | Cost Center | WBS | Original Amount |
| 1               | 700011 |                |                | OTHR-00000000-WU | 512007      | 2000          | 2000211101  |     | \$158,908.37    |
|                 |        |                |                |                  |             |               |             |     |                 |
|                 |        |                |                |                  |             |               |             |     |                 |
|                 |        |                |                |                  |             |               |             |     |                 |
| TOTAL AMOUNT    |        |                |                |                  |             |               |             |     | \$158,908.37    |

FUND OVERRIDE   
3000013600

Passed by the Council of The City of San Diego on 11/17/2020, 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 type="checkbox"/>            | <input type="checkbox"/> | <input checked="" 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 NOV 24 2020.


**(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 , Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 313340