(R-2021-342)

RESOLUTION NUMBER R- 313461

DATE OF FINAL PASSAGE MAR 17 2021

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO TO APPROVE AN AGREEMENT FOR LEGAL SERVICES WITH SKANE MILLS, LLP. RELATING TO *BUFFIN V. CITY OF SAN DIEGO*, SDSC CASE NO. 37-2016-00002402-CU-PO-CTL.

WHEREAS, this matter involves a personal injury lawsuit filed against the City of San Diego (City) in 2018 resulting from a bicycle accident. The case is entitled *Buffin* v *City of San Diego*, SDSC Case No. 37-2016-00002402-CU-PO-CTL. Plaintiff Christopher Buffin alleges he was injured while riding his bicycle in a particular area of 5500 Santa Fe Street near the Rose Canyon Bicycle Path. Mr. Buffin sustained a skull fracture, a fractured clavicle, fractured ribs, a sub-dermal hematoma, and multiple abrasions to his arms and legs. Plaintiff Melissa Buffin alleges she suffered loss of consortium as a result of her husband's injuries. Plaintiffs are seeking wage loss, hospital and medical expenses, general damages, loss of consortium damage, pre-trial and post-judgment interest as permitted by law and any additional remedies proven at trial; and

WHEREAS, trial is scheduled for April 16, 2021; and

WHEREAS, originally, the Skane Mills firm represented the City's interest in the litigation through City's insurance carriers. The City is a member of PRISM, formerly known as CSAC-Excess Insurance Authority. PRISM is a member-directed risk sharing pool of public agencies committed to providing coverage programs and risk management services. In September 2020, PRISM informed the City that it was withdrawing defense of the action. The Office would like to hire the Skane Mills firm to continue representing City's interest in the litigation; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the Mayor or designee, is authorized to execute the Agreement for Legal Services with Skane Mills, LLP.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to expend \$99,200.00 from Public Liability Fund 720045 for the Agreement for Legal Services with Skane Mills, LLP. The actions authorized herein are contingent upon the Chief Financial Officer first furnishing one of more certificates stating that the funds necessary for the authorized expenditures are, or will be, on deposit with the City Treasurer.

APPROVED: MARA W. ELLIOTT, City Attorney /s/ Christine M. Leone By Christine M. Leone Chief Deputy City Attorney CML:soc 02/18/2021 Or.Dept: CAO CC#: 3000013872 Doc. No.: 2591209 I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of ______03/16/2021 **ELIZABETH S. MALAND** City Clerk By ____/s/ Stacy D. Ready Deputy City Clerk Approved: Vetoed:

(date)

TODD GLORIA, Mayor

The City of San Diego COMPTROLLER'S CERTIFICATE

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urpos	e:	Agreement for Legal Services with Skane Mills, LLP relating to Buffin v. City of San Diego. Risk Mgmt Claim No. 11212									
											
Date:		March 4, 2021					By: Justin Byk	· /	Byko		
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Passed by the Council of The Ci	ity of San Dieg	o on M /	AR 16 2021	_, by the following vote:						
Passed by the Council of The Ci Councilmembers Joe LaCava Jennifer Campbell Stephen Whitburn Monica Montgomery Ste Marni von Wilpert Chris Cate	Yeas	Nays	Not Present	_, by the following vote: Recused						
Raul A. Campillo	Z.									
Vivian Moreno	Ż,									
Sean Elo-Rivera	\square									
Date of final passage										
AUTHENTICATED BY:		Маус	ELIZABETH S	•						
(Seal)		City Cle		San Diego, California.						
		ву	Kal	, Deputy						
		Office of the	e City Clerk, San D	Piego, California						
	Reso	olution Numbe	er R 31	3461						