(R-2021-545)

RESOLUTION NUMBER R- 313663

DATE OF FINAL PASSAGE AUG 0.3 2021

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE SETTLEMENT OF THE LAWSUIT FILED BY DENNIS HICKEY.

WHEREAS, on March 9, 2020, DENNIS HICKEY filed a lawsuit against the CITY OF SAN DIEGO, alleging personal injuries arising out of a trip and fall that occurred on December 12, 2018, entitled *Dennis Hickey v. City of San Diego, et al.*, San Diego Superior Court, case number 37-2020-00012754-CU-PO-CTL [Litigation]; and

WHEREAS, in Closed Session on June 22, 2021, the City Council, by the following votes: Yeas, Districts 1, 2, 3, 4, 5, 6, 7, 8, and 9; Nays, None; and All Present, approved the Settlement for an amount consistent with the amounts set forth below; and

WHEREAS, the City Council in Closed Session on June 22, 2021, 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 Release and Settlement of Claims Against the City of San Diego; NOW, THEREFORE,

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

1. Authorizes the Mayor or his designee to pay the sum of \$149,999.99 from 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 complaint filed by Plaintiff Dennis Hickey.

	2.	Authorizes the Chief Financial Officer to expend an amount not to exceed					
\$149,9	999.99 f	rom Public Liabil	ity Fund No. 7200	945, for the purpose of settling this claim.			
APPR	OVED:	MARA W. ELLI	OTT, City Attorne	∍у			
Ву	Cheryl	eryl Shitabata Shitabata City Attorney	. <u> </u>				
Or.Dep	8, 2021 pt: City o. 30001 No.: 269						
		ne foregoing Reso 1/27/2021	lution was passed	by the Council of the City of San Diego, at this			
				ELIZABETH S. MALAND City Clerk			
				By /s/ Connie Patterson Deputy City Clerk			
Appro	ved:	8 (3 /2 (date)		GODD GLORIA Myor			
Vetoed	1.						

(date)

TODD GLORIA, Mayor

## The City of San Diego COMPTROLLER'S CERTIFICATE

				CERTIFICATE (	OF UNALLOT	TED BAL	ANCE	ORIGINATING DE	3000014165		
									0.: 1515		
				quired for the allotm Treasury, and is o			urpose set forth in t	he foregoing reso	lution is available in		
Amou	nt:		\$149,999.99 Fund:						20045		
Purpo	se:	Settlement of Dennis Hickey v. City of San Diego, et al. Risk Mgmt Claim No. 22633									
Date:				ine 30, 2021		By: Nicholas	O'Donnell Nick	olas O'Donnsll			
					COMPTROLLER'S DEPARTMENT						
Doc.	<del></del>	<del>  </del>	<u> </u>	· · · · · · · · · · · · · · · · · · ·	ACCOUNTING DATA	Business		T			
Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account		Cost Center	WBS	Original Amount		
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	·		·					TOTAL AMOUNT	\$149,999.99		
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Date:							Ву:	COMPTROLLER'S DE	PARTMENT		
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Doc.						Business		<u> </u>			
Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Area	Cost Center	WBS	Original Amount		
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								TOTAL AMOUNT	1		
CC-361 (RI	EV 7-09)								FUND OVERRIDE  3000014165		

Passed by the Council of The Cit	y of San Die	go on <u>J</u>	UL 27 2021	_, by the following vote:				
Councilmembers Joe LaCava Jennifer Campbell Stephen Whitburn Monica Montgomery Ste Marni von Wilpert Chris Cate Raul A. Campillo Vivian Moreno Sean Elo-Rivera	Yeas  Ppe DDDDDDDDDDDDDDDDDDDDDDDDDDDDDDDDDDDD	Nays	Not Present	Recused				
Date of final passageAUG_ 0 3 202!  (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:		Mayo	r of The City of Sa	an Diego, California.				
(Seal)				MALAND San Diego, California. せんないし、Deputy				
	Reso		City Clerk, San D					