

RESOLUTION NUMBER R- 314573DATE OF FINAL PASSAGE FEB 01 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO APPROVING THE SETTLEMENT AGREEMENT  
BETWEEN MICHAEL RAMESH HAYTASINGH AND  
CRYSTAL DAWN HAYTASINGH AND THE CITY OF SAN  
DIEGO, ET AL.

WHEREAS, on January 3, 2014, MICHAEL RAMESH HAYTASINGH and CRYSTAL DAWN HAYTASINGH filed suit against the City of San Diego [City] alleging negligence, loss of consortium, willful misconduct, recklessness and gross negligence arising from the personal injuries Mr. Haytasingh sustained in a surfing accident. Plaintiffs brought suit in the San Diego Superior Court. The suit is entitled *Michael Haytasingh, et al. v. City of San Diego, et al.*, Case No. 37-2014-00082437-CU-PO-CTL [Litigation]; and

WHEREAS, in Closed Session on December 13, 2022, the City Council, by the following votes: Yeas, District(s) 1, 2, 3, 4, 6, 8 and 9, or None; Nays, Districts 5 and 7; and absent, None/All Present, 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 \$75,000 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 Incident.

2. Authorizes the Chief Financial Officer to expend an amount not to exceed \$75,000 from the Public Liability Fund No. 720045, for the purpose of settling this claim.

APPROVED: MARA W. ELLIOTT, City Attorney

By s/Catherine A. Richardson  
Catherine A. Richardson  
Senior Chief Deputy City Attorney

CAR:slc  
12/21/2022  
Or.Dept: City Attorney  
CC No. 3000015426  
Doc. No.: 3174383

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JAN 24 2023.

DIANA J.S. FUENTES  
City Clerk

By [Signature]  
Deputy City Clerk

Approved: 2/1/23  
(date)

[Signature]  
TODD GLORIA, Mayor

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

\_\_\_\_\_  
TODD GLORIA, Mayor

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

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING CC 3000015426  
DEPT. NO.: 1211

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: \$75,000.00

Purpose: Settlement of Michael Haytasingh, et al. v. City of San Diego, et al., San Diego Superior Court Case No. 37-2014-00082437-CU-PO-CTL, Claim No. 8717

Date: January 10, 2023 By: Christopher Purcell *Christopher Purcell*  
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	720045			OTHR-00000000-GG	512006	1515	1515000011		\$75,000.00
TOTAL AMOUNT									\$75,000.00

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: \_\_\_\_\_

Vendor: \_\_\_\_\_

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

Passed by the Council of The City of San Diego on JAN 24 2023, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<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"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

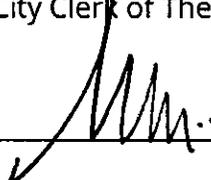
Date of final passage FEB 01 2023.

**(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:

TODD GLORIA  
Mayor of The City of San Diego, California.

DIANA J.S. FUENTES  
Interim City Clerk of The City of San Diego, California.

By , Deputy

(Seal)

Office of the City Clerk, San Diego, California

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