

RESOLUTION NUMBER R- **314956**DATE OF FINAL PASSAGE **JUN 12 2023**A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO APPROVING THE SETTLEMENT AGREEMENT  
BETWEEN MELINDA MOORE AND THE CITY OF SAN  
DIEGO

WHEREAS, on January 31, 2022, Melinda Moore filed a lawsuit against the City of San Diego alleging personal injuries from a September 25, 2021, trip and fall that occurred on the sidewalk at 1971 Willow Street in San Diego, California. The suit is entitled *Melinda Moore v. City of San Diego*, San Diego Superior Court Case No. 37-2022-00003971-CU-PO-CTL; and


WHEREAS, in Closed Session on February 6, 2023, the City Council, by the following votes: Yeas, District(s) 1, 2, 4, 5, 6, 7, 8, 9; Nays, None; and Absent, District 3, approved the settlement for an amount consistent with the amounts set forth;

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 \$225,000.00 from the Water Fund No. 700011, in settlement of each and every claim for damages, interest, costs and fees of any type, including attorney fees, against the City of San Diego, its agents and employees, arising from the personal injury complaint filed by Melinda Moore.

2. Authorizes the Chief Financial Officer to expend an amount not to exceed \$225,000.00 from Water Fund No. 700011, for the purpose of settling this claim.

APPROVED: MARA W. ELLIOTT, City Attorney

By   
Kevin R. Yee  
Deputy City Attorney

KRY:asm  
4/19/2023  
Or.Dept: City Attorney  
CC No. 3000015802  
Doc. No.: 3281895

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUN 06 2023

DIANA J.S. FUENTES  
City Clerk

By   
Deputy City Clerk

Approved: 6/12/23  
(date)

  
TODD GLORIA, Mayor

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

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

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

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING DEPT. NO.: 3000015802  
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: \_\_\_\_\_ \$225,000.00

Vendor: Melinda Moore

Purpose: Settlement of Melinda Moore v. City of San Diego, San Diego Superior Court No. 37-2022-00003971-CU-PO-CTL, Claim No. 28575

Date: November 15, 2022 By: Jessica Tran  
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	512006	2000	2000211101		\$225,000.00
TOTAL AMOUNT									\$225,000.00

FUND OVERRIDE   
3000015802

Passed by the Council of The City of San Diego on JUN 06 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 JUN 12 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.

(Seal) DIANA J.S. FUENTES  
City Clerk of The City of San Diego, California.

By Connie Patterson Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R- 314956