

RESOLUTION NUMBER R- **315166**

DATE OF FINAL PASSAGE **OCT 23 2023**

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE SETTLEMENT BETWEEN
PATRICIA FLORES AND ANGELICA SANCHEZ AND THE
CITY OF SAN DIEGO.

WHEREAS, on December 20, 2017, Patricia Flores filed a suit against the City of San Diego for the injuries that occurred to William Higareda Flores on March 26, 2017. The suit is entitled *Patricia Flores v. City of San Diego, et al.*, San Diego Superior Court Case No. 37-2017-00049108-CU-PA-CTL; and

WHEREAS, on March 15, 2018, Angelica Sanchez filed a suit against the City of San Diego for the injuries that occurred on March 26, 2017. The suit is entitled *Angelica Sanchez v. City of San Diego, et al.*, San Diego Superior Court Case No. 37-2018-00013595-CU-PA-CTL; and

WHEREAS, on May 21, 2018, the two lawsuits were consolidated for all purposes including trial with San Diego Superior Court Case No. 37-2017-00049108-CU-PA-CTL as the Master Case Number (Litigation);

WHEREAS, in closed session on September 18, 2023, the San Diego City Council, by the following votes: Yeas, District 1, 2, 3, 4, 5, 6, 7, and 8; Nays: None; Absent: District 9, approved the 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 Settlement Agreement; and

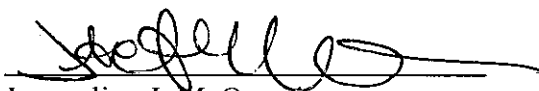
NOW, THEREFORE,

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

1. Authorizes the Mayor or his designee to pay the sum of \$800,000.00 (\$300,000.00 to Patricia Flores; \$500,000.00 to Angelica Sanchez) from the Public Liability Fund No. 720045, in settlement of each and every claim for damages, interest, costs, and fees of any type, against City of San Diego, its agents and employees, arising from the complaints filed by Patricia Flores and Angelica Sanchez;

2. Authorizes the Chief Financial Officer to expend an amount not to exceed \$800,000.00 from the Public Liability Fund No. 720045, for the purpose of settling this claim.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Jacqueline J. McQuarrie
Chief Deputy City Attorney

JJM:gk
September 18, 2023
Or.Dept: City Attorney
CC No. 3000016138Finalize
Doc. No. 3418407

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 17 2023.

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

Approved: 10/23/23
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

CC 3000016138
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: \$800,000.00

Purpose: Settlement of Patricia Flores et al. v. City of San Diego, San Diego Superior Court Case No. 37-2017-00049108-CU-PA-CTL, Claim No. 16983

Date: September 25th, 2023 Lauren Rehkopf *Lauren Rehkopf*

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
1	720045	NON-PROGRAM		OTHR-00000000-GG	512006	1515	1515000011		\$800,000.00
TOTAL AMOUNT									\$800,000.00

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 ☐

CC 3000016138

Passed by the Council of The City of San Diego on OCT 17 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 OCT 23 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: _____

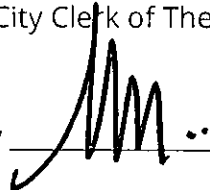
TODD GLORIA

Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES

City Clerk of The City of San Diego, California.

By  Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- **315166**