

RESOLUTION NUMBER R- 315765

DATE OF FINAL PASSAGE SEP 23 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO APPROVING THE SETTLEMENT BETWEEN  
MICHAEL JORDAN AND THE CITY OF SAN DIEGO

RECITALS

The Council of the City of San Diego (Council) adopts this Resolution based on the following:

A. On October 6, 2022, Michael Jordan filed suit against the City of San Diego alleging dangerous condition of public property and personal injuries when he tripped and fell on a raised portion of concrete sidewalk on December 7, 2021. The lawsuit is entitled *Michael Jordan v. City of San Diego, et al.*, San Diego Superior Court Case No. 37-2022-00040493-CU-PO-CTL (Litigation).

B. In Closed Session on July 29, 2024, the City Council, by the following votes: Yeas, Districts 1, 3, 4, 6, 7, 9; Nays, Districts 2, 5; and Absent, District 8, approved the settlement of the Litigation for an amount consistent with the amounts set forth below.

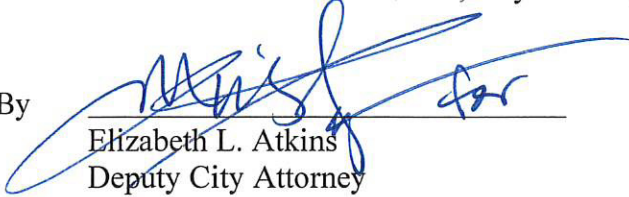
ACTION ITEMS

Be it resolved by the Council of the City of San Diego:

1. The sum of \$105,000.00 to be paid 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 the City, its agents and employees, arising from the Litigation.

2. Authorizes the Chief Financial Officer to expend an amount not to exceed \$105,000.00 from Public Liability Fund No. 720045, for the purpose of settling this Litigation.

APPROVED: MARA W. ELLIOTT, City Attorney

By  for  
Elizabeth L. Atkins  
Deputy City Attorney

ELA: jel  
August 24, 2024  
October 16, 2024 COR.COPY  
Or. Dept: City Attorney  
CC No. 3000017074  
Doc. No. 3772475

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on  
SEP 23 2024

DIANA J.S. FUENTES  
City Clerk

By \_\_\_\_\_  
Deputy City Clerk

Approved: \_\_\_\_\_  
(date)

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

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

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

(See attached memo and signature page.)



THE CITY OF SAN DIEGO

M E M O R A N D U M

DATE: October 16, 2024  
TO: Honorable Council President Sean Elo-Rivera  
FROM: M. Travis Phelps, Assitant City Attorney  
SUBJECT: R-2025-65

---


This Office has prepared a revised version of Resolution 2025-65, regarding the settlement between Michael Jordan and the City of San Diego.

The incident date of December 17, 2021, was incorrectly recorded. The corrected date of December 7, 2021, is now being submitted.

MPT:mm  
Doc No. 3365743  
Cc: Luz Anaya, Director of Legislative Affairs

2. Authorizes the Chief Financial Officer to expend an amount not to exceed \$105,000.00 from Public Liability Fund No. 720045, for the purpose of settling this Litigation.

APPROVED: MARA W. ELLIOTT, City Attorney

By   
Elizabeth L. Atkins  
Deputy City Attorney

ELA:jel  
August 24, 2024  
Or. Dept: City Attorney  
CC No. 3000017074  
Doc. No. 3772475

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on  
SEP 17 2024

DIANA J.S. FUENTES  
City Clerk

By   
Deputy City Clerk

Approved: 9/23/24  
(date)

  
TODD GLORIA, Mayor

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

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

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

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING

CC 3000017074

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: \$105,000.00

Purpose: Settlement of Michael Jordan v. City of San Diego, San Diego Superior Court Case No. 37-2022-00040493-CU-PO-CTL, Claim No. 29327.

Date: August 30, 2024

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		\$105,000.00
TOTAL AMOUNT									\$105,000.00

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 3000017074

Passed by the Council of The City of San Diego on SEP 17 2024, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
Henry L. Foster III	<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 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 SEP 23 2024.

**(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

(Seal)

City Clerk of The City of San Diego, California.

By Linda Whyn, Deputy  
For Connie Patterson

Office of the City Clerk, San Diego, California

Resolution Number R- 315765