

RESOLUTION NUMBER R- 315856

DATE OF FINAL PASSAGE NOV 06 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO APPROVING THE SETTLEMENT BETWEEN  
PLAINTIFF JOAN SAVARESE AND CITY OF SAN DIEGO

RECITALS

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

A. On March 30, 2022, Plaintiff Joan Savarese filed suit against the City of San Diego, alleging personal injuries arising from a trip and fall accident which occurred on June 27, 2021. The suit is entitled *Joan Savarese v. City of San Diego*, San Diego Superior Court Case No. 37-2022-00012275-CU-PO-CTL (Litigation).

B. In closed session on September 9, 2024, the City Council, by the following votes: Yeas, Districts 1, 3, 4, 5, 6, 7, 8, and 9; Nays, none; Absent, 2, approved the settlement of the Litigation for an amount consistent with the amounts set forth below and under such other terms more fully set forth in the Settlement Agreement.

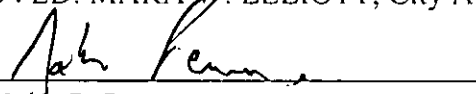
ACTION ITEMS

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

1. Authorizes the Mayor or his designee to pay the sum of \$75,000.00 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, employees, and contractors arising from the Litigation.

2. Authorizes the Chief Financial Officer to appropriate and expend an amount not to exceed \$75,000.00 from Public Liability Fund No. 720045, for the purpose of settling this Litigation.

APPROVED: MARA W. ELLIOTT, City Attorney

By   
John P. Pearson  
Deputy City Attorney


JPP:jmh  
October 17, 2024  
Or. Dept: City Attorney  
CC No. 3000017184  
Doc. No. 3860247

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on OCT 29 2024.

DIANA J.S. FUENTES  
City Clerk

By   
Deputy City Clerk

Approved: 11/4/24  
(date)

  
TODD GLORIA, Mayor

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

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

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

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING

CC 3000017184  
 USEFUL 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 Joan Savarese v. City of San Diego, San Diego Superior Court No. 37-2022-00012275-CU-PO-CTL, Risk No. 28345

Date: October 4, 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		\$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 OCT 29 2024, 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"/>
Henry 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 NOV 06 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.

(Seal)

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

By *Kristine Medina*, Deputy

Office of the City Clerk, San Diego, California

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