#632 12~9-24 (R-2025-236)

RESOLUTION NUMBER R- 315931

DATE OF FINAL PASSAGE DEC 1 8 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE SETTLEMENT OF CHRISTIAN CAITLIN GARRETT 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 December 4, 2023, Christian Caitlin Garrett filed suit against the City of San Diego alleging personal injuries arising from a trip and fall incident that occurred on January 19, 2023, on a pothole in the crosswalk crossing Pacific Highway at the intersection with Enterprise Street. The lawsuit is entitled *Christian Caitlin Garrett v. City of San Diego*, San Diego Superior Court Case No. 37-2023-00052284-CU-PO-CTL (Litigation).
- B. In closed session on October 28, 2024, the City Council, by the following votes: Yeas, Districts 1, 3, 4, 5, 6, 7, 8, and 9; Nays, None; and Absent, District 2; 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 Mayor or his designee is authorized to pay the sum of \$115,000.00 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 the City, its agents, and employees, arising from the Litigation.

2. The Chief Financial Officer is	2. The Chief Financial Officer is authorized to appropriate and expend an amount					
not to exceed \$115,000.00 from the Public Lia	ability Fund No. 720045, for the purpose of settling					
this Litigation.						
APPROVED: MARA W. ELLIOTT, City Att	orney					
By Aaron B. Markowitz Deputy City Attorney						
ABM:nmm October 23, 2024 Or. Dept: City Attorney CC No. 3000017298 Doc. No. 3856344						
I certify that the Council of the City of San Di	ego adopted this Resolution at a meeting held on					
	DIANA J.S. FUENTES City Clerk					
	By Connie Patterson Deputy City Clerk					
Approved: 12(13/24 (date)	CTODD GLORIA, Mayor					
Vetoed:(date)	TODD GLORIA, Mayor					

The City of San Diego COMPTROLLER'S CERTIFICATE

CERTIFICA	TE OF	TINAL ≀	OTTED	RAI	ANCE

ORIGINATING

CC 3000017298 No: 1211

3000017298

CC

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. \$115,000.00 Amount: Purpose: Settlement of Christian Caitlin Garrett v. City of San Diego, San Diego Superior Court Case No. 37-2023-00052284-CU-PO-CTL. Claim No. 33296 Lauren Rehkopf November 13, 2024 Lauren Rehkopf Date: ACCOUNTING DATA Doc. G/L Business WBS Item Funded Program Internal Order Functional Area Account Arca Cost Center Original Amount OTHR-000000000-GG 1515000011 \$115,000.00 1 720045 NON-PROGRAM 512006 1515 TOTAL AMOUNT \$115,000.00 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. G/L Business WBS Functional Area Cost Center Original Amount ltem Fund Funded Program Internal Order Account Area TOTAL AMOUNT FUND OVERRIDE CC-361 (REV 7-09)

Passed by the Council of The Ci	ty of San Dieg	o on D I	EC 09 2024	_, by the following vote:			
Councilmembers	Yeas	Nays	Not Present	Recused			
Joe LaCava	<i>X</i>						
Jennifer Campbell	<i>X</i> ⊔ □		' \				
Stephen Whitburn	□ □ ′		<i>₹</i> J				
Henry L. Foster III	<u>2</u>						
Marni von Wilpert Kent Lee				П			
Raul A. Campillo							
Vivian Moreno				П			
Sean Elo-Rivera							
Date of final passageDEC 1 8 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:		Mavo	TODD G or of The City of S				
(Seal)	Mayor of The City of San Diego, California. DIANA J.S. FUENTES City Clerk of The City of San Diego, California.						
	By Kinda druin, Deputy For Connie Patterson						
		Office of the	e City Clerk, San [Diego, California			
	Resc	Resolution Number R315931					